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(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/26/1999

To: Houston

From: Houston
CCRA
Contact: SA [redacted] (361) 885-6703

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-HO-53027 (Pending)

Title: AMERADA HESS CORPORATION; [redacted]
CORPUS CHRISTI STORAGE TANK TERMINAL;
ENVIRONMENTAL CRIMES - CLEAN WATER ACT (CWA);
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Synopsis: To document receipt of information and open new investigation.

Administrative: Attached and to be considered part of this memo are the following documents received from [redacted] Investigator, Special Investigations Unit, Region 14, Texas Natural Resource Conservation Commission (TNRCC): 1. Two three page screening summaries regarding Amerada Hess Corporation (AHC), 1802 Poth Lane, Corpus Christi, Texas prepared by [redacted] 2. Copy of a two page memo from [redacted] dated 2/16/1999 regarding AHC and 3. A one page TNRCC Case Data Entry Form regarding AHC.

Details: On 3/25/1999 [redacted] (supra) provided the attached documents and advised that the U.S. Attorney's Office for the Southern District of Texas in Houston had adopted the case for prosecution. [redacted] stated that the allegations had been presented to a task force screening committee in Austin on 3/18/1999 and that the investigation will be conducted by U.S. Environmental Protection Agency (EPA), TNRCC and the Environmental Crimes Section of the Texas Parks and Wildlife. The FBI has been invited to participate in this investigation.

A review of the attached documents reflected that on 1/29/1999 and 2/5/1999, AHC representatives met with TNRCC 14

OSA 249A 4/1/99
SA [redacted]
5-1 CPI-None!
3/31/99

085-HO-01

249A-HO-53027-1

staff to inform them of possible violations of state and federal environmental regulatory statutes. These included at least two instances of falsification of the wastewater Monthly Effluent Reports (MER), several instances where exceedances of their wastewater permit limits for TOC (total organic compounds)) were not reported, and the onsite burial of a rolloff (large storage container) full of D018 (benzene) contaminated tank bottoms. According to the AHC representatives, the AHC Corpus Christi Terminal [redacted] is being held directly responsible. Other individuals (unknown at this time) are potentially involved in the alleged violations. b6 b7C

Based on above and the information contained in the attached documents, Writer recommends that a new 249A matter be opened and assigned to SA [redacted]

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Texas Environmental Enforcement Task Force
Screening Summary
For
Amerada Hess Corporation
Corpus Christi Terminal Facility
Case No. CRFY99-024

Company Name: Amerada Hess Corporation

Facility Name: Amerada Hess Corporation, Corpus Christi Storage Terminal

Facility Location: 1802 Poth Lane, Corpus Christi, Texas , Nueces County.

Summary of Complaint:

On January 29, 1999, Amerada Hess Corp.(AHC) representatives met with TNRCC Region 14 staff to inform them of possible violations of state and federal environmental regulatory statutes. AHC learned of the alleged violations from an employee who works at the AHC Corpus Christi Storage Terminal located on Poth lane in Corpus Christi, Texas. A follow up investigation by the AHC corporate office revealed that there was merit to the allegations and that a further investigation and audit would be needed.

On February 5, 1999 AHC met with the TNRCC Region 14 staff and outlined violations which had been discovered. These included at least two instances of falsification of the wastewater Monthly Effluent Reports (MER), several instances where exceedances of their wastewater permit limits for TOC were not reported, and a rolloff full of DO18 (benzene) contaminated tank bottoms were taken out of the rolloff and buried onsite. The AHC Corpus Christi Terminal [redacted] is being held directly responsible for the falsification of the MERs and for the other violations as well by AHC and had been put on suspension at the time of the meeting. Other individuals are potentially involved in the alleged violations. AHC is continuing the investigation. b6 b7C

On March 2, 1999, AHC sent documents to TNRCC Special Investigator [redacted] Amerada Hess included with these documents chronologies concerning the wastewater discharges at the Corpus Christi Terminal for the periods between December 1998 and a portion of January, 1999. According to the AHC chronology on 12/31/98 a contract lab calls AHC personnel and tells them that wastewater samples taken between December 14 and December 24, 1998, are showing preliminary of higher levels of TOC (Total Organic Carbon) than the lab normally sees for the AHC samples. After discussing the issue AHC management personnel decide to call back the lab and tells the lab not to complete the TOC analysis. AHC

personnel went on to tell the lab they would submit resamples for the dates in question.

According to the chronology on January 4, 1999, instructions and a list are given to one of the AHC employees by his supervisor to go take wastewater samples for each date shown on the list and label the sample bottles with a date off this list. The dates according to the Contract labs log book included December 18, 19, 20, 21, 22, and 23. The next day, January 5, 1999, another sample is delivered to the lab from AHC, dated December 24, 1998.

Samples analyzed by the lab for December 25 - 28 are analyzed and exceed the TOC permit limit. On January 19, 1999 AHC Corpus Christi Terminal submits the monthly MER report showing no exceedances for December, 1998.

Another Chronology outlines events concerning the management of tank bottoms removed from storage tank 144. Based on this chronology and reports from the TNRCC region staff there is reason to believe AHC intentionally buried hazardous waste on site. They also failed to do a hazardous waste determination prior to disposal.

<u>Potential Violations:</u>

False statements: Texas Water Code, Section 7.149.

AHC Terminal personnel submitted false statements to regulatory agencies pertaining to their permitted discharge, specifically for TOC levels, by way of the Monthly Effluent Report.

Falsification: Texas Water Code, Section 7.149.

AHC falsified sample results by telling the lab not to complete analysis on samples which apparently had high TOC levels then subsequently replacing the original samples with wastewater samples taken some two weeks later on January 4th and 5th but dated with the dates of the original samples taken in December.

Failure to Report or Notify: Texas Water Code, Section 7.150.

AHC personnel failed to report TOC exceedances which occurred in December, 1998 and January, 1999 not only on the Monthly Effluent Report but at the required time period after the exceedances took place as required by permit.

Illegal Disposal of Hazardous Waste: Texas Water Code, Section 7.162 (a) (2).

Based on reports and sample analysis AHC Corpus Christi Terminal personnel on January 21, 1999, disposed of tank bottom sludge from Tank 144, on site material which may meet the EPA definition of hazardous waste, specifically waste code

D018 for benzene.

Further investigation may reveal further violations.

Submitted by [redacted]
TNRCC Special Investigations Unit
Texas Environmental Enforcement Task Force

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TNRCC Special Investigations
Case Screening Summary
Case Number - CRFY99-024

Summary of Complaint:	On January 29, 1999, Amerada Hess Corp.(AHC) representatives met with TNRCC Region 14 staff to inform them of possible violations of state and federal environmental regulatory statutes. AHC learned of the alleged violations from an employee who works at the AHC Corpus Christi Storage Terminal located on Poth road in Corpus Christi, Texas. A follow up investigation by the AHC corporate office revealed that there was merit to the allegations and that a further investigation and audit would be needed. On February 5, 1999 AHC met with the TNRCC Region 14 staff and outlined violations which had been discovered. These included at least two instances of falsification of the wastewater Monthly Effluent Reports, several instances where exceedences of their NPDES and their TNRCC wastewater permit limits for TOC were not reported, and a rolloff full of DO18 (benzene) contaminated tank bottoms were taken out of the rolloff and buried onsite. The AHC Corpus Christi Terminal [redacted] is being held directly responsible for the falsification of the MERs and for the other violations as well by AHC and had been put on suspension at the time of the meeting. AHC is continuing the investigation.
Potential violations including classification of offense:	False Statements , Failure to report, Illegal disposal of a Hazardous Waste.
Regulatory History:	Amerada Hess Corp., Corpus Christi Terminal: SWR No. 39033 Wastewater Permit No. 02070 A review shows that an Administrative Order is pending upon settlement concerning the recvery and treatment of subsurface contaminated groundwater. The company faces potential penalties of $542,800. No other enforcement issues were noted for water, air, or industrial solid and hazardous waste.

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TNRCC Special Investigations
Case Screening Summary
Case Number - CRFY99-024

Criminal History of Individuals:	Not available at this time.
Intentional or knowing violations of the law?	Yes. In the wastewater permit (No. 02070) for the Corpus Christi Terminal paragraph two of section 1. of the "MONITORING AND REPORTING REQUIREMENTS" section informs that the permittee is subject to criminal penalties as applicable for negligently or knowingly violating the Clean Water Act or the Texas Water Code, or Texas Health and Safety Code, including violations for false statements on any report or document, falsifying , tampering or rendering inaccurate any monitoring device or method required by the permit or violating any other requirement imposed by state or federal regulations.
Harm or potential harm to the environment or human health?	Yes. The alleged contaminated wastewater discharge which spurred the above mentioned activity was being discharged into the Corpus Christi Inner Harbor, also the hazardous waste was buried into a concrete vault which contained cracks and likely not to be an impermeable structure.
Harm or potential harm to program integrity (including evidence of misrepresentations or falsification)?	Yes. False statements on the MER which was submitted to the TNRCC.
Parallel proceedings issues?	Yes. TNRCC Region 14 is considering either initiating a Region Initiated Order (RIO) or referring the matter to Austin for formal enforcement.
Recommendation of Investigator:	Proceed with investigation initially conducting interviews of Terminal personnel and request documentation from the company while a state of cooperation exist.

TNRCC Special Investigations
Case Screening Summary
Case Number - CRFY99-024

What level of effort may be required to collect adequate evidence to prosecute this case?	Medium at this time.
Current witnesses and evidence:	Potential witnesses and documentation exist, ie; The employee which initially called the complaint in to the AHC hotline and the laboratory data from an independent lab (already provided by the company) which shows by comparison that false statements were made on the MER.
Other agencies?	EPA has assigned an agent to this matter.

Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To: [redacted]

From: [redacted]

Date: February 16, 1999

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Subject: Case lead on Amerada Hess Corporation, Corpus Christi Terminal

On January 29, 1999, representatives from Amerada Hess Corporation (AHC) met with TNRCC Region 14 representatives to inform the TNRCC that AHC had initiated an internal investigation and audit at the AHC Corpus Christi Storage Tank Terminal. The investigation was initiated based on information and allegations provided via a call to the AHC employee hot line from an employee who works at the Corpus Christi Terminal.

A preliminary investigation revealed that there was some validity to the allegations made by the employee. AHC informed the TNRCC that some of the environmental violations may have occurred and that a full internal investigation would take place immediately.

AHC reported further findings as per their investigation at the facility in Corpus Christi. In a meeting which occurred on February 5, 1999 and to which I attended AHC informed TNRCC Region 14 representatives of their findings to date. The AHC findings included:

- Facility personnel had submitted false values for TOC on the monthly wastewater Discharge Monitoring Reports submitted to the TNRCC.
- Several exceedences of the wastewater permit parameters were not reported by facility personnel.
- Contaminated wastewater had been diverted from flowing through the discharge outfall onto the ground. Runoff from this discharge may have flowed to the stormwater ditches and offsite.
- Tank bottom sludge which possibly meet the criteria for being a characteristic hazardous waste for DO18 (Benzene) were buried in a concrete vault on the facility property and covered with a layer of soil by facility personnel.
- AHC identified one individual, the refinery [redacted] as being responsible for most if not all of these occurances.

Other issues were discussed by AHC during the meeting but the above issues seem to be the primary concerns in regards to possible civil or criminal enforcement proceedings.

Region 14 is currently making a decision on whether to pursue civil enforcement by way of a Region Initiated Order (RIO) or by a enforcement referral to Austin.

I met with AHC personnel after the meeting on February 5, 1999 and informed them that it was likely that a criminal investigation would take place. They agreed to cooperate in every way possible.

[redacted] of Corporate Environmental Affairs, is the contact for AHC and has been their main spokesman up to this point. The company has hired a law firm out of Houston, Vinson and Elkins to represent them and consult with them in this matter. [redacted] is the attorney assigned to the matter by Vinson and Elkins.

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To date no interviews have been done as part of a criminal investigation. I will be submitting a screening and case data sheet the newly formatted forms within the next few days.

If you have any immediate questions please notify me by phone or by e-mail.

TNRCC Special Investigations Case Data Entry Form	
Form Date:	February 16, 1999
Referral Date:	January 29, 1999
Case Code Word:	AHC
Company Name:	Amerada Hess Corporation (AHC)
Individuals:	and possibly others.
Location:	Poth Lane, Corpus Christi, Nueces County, Texas
Time Period of Alleged Crimes:	November and December of 1998
Brief Summary:	Allegations by an employee concerning the AHC Storage Terminal were investigated by AHC and found to be true. Falsification of at least two wastewater Discharge Monitoring Reports, failure to report numerous exceedences of wastewater parameters, illegal disposal of a Hazardous Waste, DO18 for benzene, and the rerouting of the wastewater discharge onto a grassy area in the AHC facility.
Form Submitted By:	
Case Number(completed by Phil):	CRFY99-024

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FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/13/1999

[redacted] Special Agent, Region 6, ENVIRONMENTAL PROTECTION AGENCY (EPA), 1445 Ross Avenue, Dallas, Texas 75202, telephone number (214) 665-6600 made available an Investigative Activity Report (IAR) reflecting results of an interview of [redacted] on 4/15/1999. The IAR is attached hereto.

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Pg 2

(1/2)

Investigation on 5/13/1999 at Corpus Christi, Texas

File # 249A-HO-53027 - 9 Date dictated 5/13/1999

by SA [redacted]

DRM/pl

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

133A-HQ-3

(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/13/1999

To: Houston

From: Houston
CCRA
Contact: SA [redacted] b6 b7C

DRM/pl

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-HO-53027 (Pending)

Title: AMERADA HESS CORPORATION;
[redacted]
CORPUS CHRISTI STORAGE TANK TERMINAL;
ENVIRONMENTAL CRIMES -
CLEAN WATER ACT (CWA);
RESOURCE CONSERVATION AND
RECOVERY ACT (RCRA)

Synopsis: To document receipt of information.

Details: On May 13, 1999 [redacted] Environmental Special Investigations, Texas Parks & Wildlife Department, 4200 Smith School Road, Austin, Texas 78744-3291, cellular phone number [redacted] pager number [redacted] made available a copy of a letter dated March 2, 1999 from [redacted] Attorney for Amerada Hess Corporation (AHC) addressed to [redacted] Litigation Support Division, Texas Natural Resource Conservation Commission (TNRCC). [redacted] further provided copies of documents which had been enclosed with the March 2, 1999 letter. The documents provided by [redacted] are attached hereto.

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LAST PAGE

133A-HO-102

249A-HO-53027 -3

Vinson & Elkins
ATTORNEYS AT LAW

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WRITER'S FAX
(713) 615-5783

March 2, 1999

BY OVERNIGHT COURIER

[redacted]

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Litigation Support Division
Texas Natural Resource Conservation Commission
Region 14
6300 Ocean Drive, NRC Building, Suite 1200
Corpus Christi, Texas 78412

Re: Amerada Hess Corporation

Dea[redacted]

Pursuant to your request made at the February 5, 1999 meeting between representatives of the TNRCC and Amerada Hess Corporation, enclosed please find the following:

1. A list of Amerada Hess employees and contractors at the Corpus Christi terminal. Please notice that this list includes several employees that no longer work at the terminal.

2. A chronology prepared by Amerada Hess concerning the on-site burial, reexcavation, and disposal of the bottoms material from Tank 144.

3. A chronology prepared by Amerada Hess concerning wastewater discharges at the Corpus Christi terminal for the periods of December 1998 and a portion of January 1999.

4. A copy of the log books maintained by the employees of the wastewater treatment plant at the Corpus Christi terminal from January 1998 through February 5, 1999.

5. A copy of the log books maintained by the Amerada Hess employees designated as "gaugers" at the Corpus Christi terminal for the period from May 1998 until February 5, 1999.

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6. A copy of the log books maintained by [redacted] for the period from April 1998 until January 30, 1999.

7. A copy of the sample collection logs maintained by the Corpus Christi terminal for the period from January 1998 to January 29, 1999, including a list of names corresponding to the initials shown on the sample log.

I believe that the enclosed materials are all of the documents maintained by Amerada Hess that are responsive to your requests. If I have overlooked any items that you requested, please let me know.

Yours very truly

[redacted]

Enclosures

c: [redacted]
TNRCC - Region 14
w/o enclosures

WASTEWATER DISCHARGE CHRONOLOGY

DATE	DISCUSSION
11/11/98	Tank 144 water bottom, washwater began to be transferred into the tanks used for storing recovered groundwater (Tanks 72, 73, 75).
11/21/98 - 12/02/98	Water plant shut down except for very brief periods for maintenance of the solids filter.
12/04/98	[redacted] collects wastewater sample at Outfall 001 and observes the appearance of the "black slime" at the weir. The sample is cloudy and has a bad smell, and [redacted] places it in the refrigerator. b6 b7C
	[redacted] install the fire hose on the end of the PVC line.
12/04/98	[redacted] collects two samples from Outfall 001, places one sample in the refrigerator, and the other on [redacted] desk.
	After observing appearance of sample on his desk, [redacted] directs [redacted] to pull two samples from the end of the fire hose, and to label one "December 4" and the other "December 5."
12/06/98	[redacted] collects the daily sample from the end of the fire hose.
12/07/98	[redacted] collects the daily sample from the end of the fire hose.
12/09/98	[redacted] collects the daily sample from the end of the fire hose.
12/10/98	Water plant personnel [redacted] begin treating the water behind the weir and in the API separator with approximately ten to fifteen gallons of hydrochloric acid several times per week in an effort to eliminate the "black slime."
12/11/98	Terminal purchases a drum of hydrochloric acid.
12/15/98	Jordan Laboratories transmits an invoice and analysis to the terminal for the December 7 sample, which indicates 95 mg/l TOC.
12/18/98	[redacted] obtains a positive colorimetric test on the water plant effluent and notifies [redacted] is instructed to collect a sample from the

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WASTEWATER DISCHARGE CHRONOLOGY

DATE	DISCUSSION
	treatment plant and send it to Jordan Laboratories for an expedited BTEX analysis.
	Jordan Laboratories reports 13 ug/l (ppb) benzene by telephone that afternoon.
	[redacted] from home, acknowledges receipt of the Jordan Laboratories report, and instruct[redacted] to run the water plant effluent through the alternate set of carbon columns (columns 3 and 4). b6 b7C
	Terminal purchases a second drum of hydrochloric acid.
12/29/98	Jordan Laboratories transmits invoice and analyses for December 10 and 11 samples, which contain 95 mg/l and 252 mg/l TOC, respectively.
12/31/98	Jordan Laboratories analyzes TOC content of samples collected between December 14 and December 24. Jordan Laboratories analyst telephones the terminal and notifie[redacted] hat the preliminary results for a number of these samples contain higher values for TOC than the laboratory typically obtains for Hess samples.
	[redacted] consults wit[redacted] telephones Jordan Laboratories, tells analyst not to complete TOC analyses for those samples because terminal will submit "resamples" for those dates.
01/04/99	[redacted] rovide[redacted] with a list of a "weeks' worth" of dates and instructs him to collect a sample from the weir area for each of the dates shown on the list[redacted] collects a sample for each date on the list and labels them with the dates provided to him, using the names of the employees who collected the original samples, as that information was maintained in the terminal log book[redacted] is instructed not to prepare a new chain of custody she[redacted] elivers these samples to Jordan Laboratories. Jordan Laboratories' log book indicates that the laboratory received six samples on this date, specifically samples labeled as being collected on December 18, 19, 20, 21, 22, 23.
01/05/99	[redacted] elivers a sample to Jordan subsequently identified by Jordan Laboratories as a December 24 "resample."

WASTEWATER DISCHARGE CHRONOLOGY

DATE	DISCUSSION
	Jordan analyzes samples collected December 25-28; three exceed the TOC permit limit, with a maximum of 83 mg/l TOC.
01/07/99	Jordan analyzes the "resamples" designated December 18-24; all are within the TOC limit in the permit (maximum is 44 mg/l).
01/19/99	Hess submits monthly effluent report for December 1998 indicating no exceedences.
01/29/99	Hess investigation team directs fire hose to be removed from end of water plant discharge line.
02/03/99	Hess submits corrected monthly effluent report for December 1998 indicating 9 TOC exceedences and 26 "sample collection exceedences."

TANK 144 BOTTOMS CHRONOLOGY

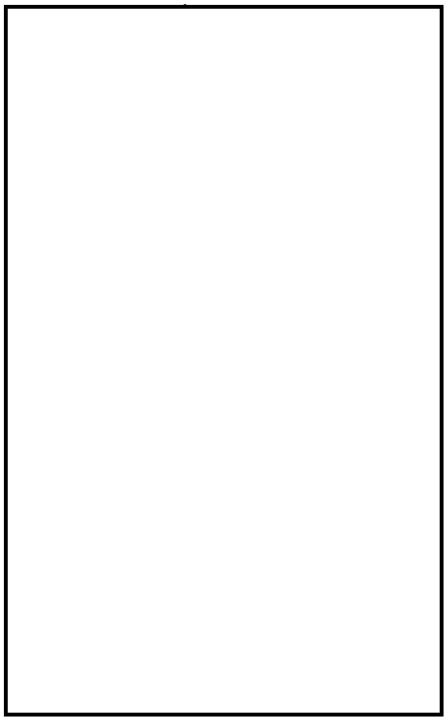
11-10-98	T-144 is opened for cleaning, and the emptying and cleaning process begins
11-11-98	Water washing of T-144 begins
11-12-98	A rental roll-off box is ordered from Allwaste for delivery on 11-13-98
11-13-98	Solids in T-144 are placed in the roll-off box
11-16-98	A second roll-off box is ordered from Allwaste to contain the solids from T-144 and additional solids accumulated in the two Hydrochem vacuum trucks used to transfer water bottoms and wash water from T-144 to T-75
11-17-98	Second roll-off box is delivered to the terminal
12-14-98	Vacuum truck is used to pull liquids from the roll-off boxes at T-144
1-21-99	Contents of one roll-off box are mixed with dirt from terminal and placed in concrete-lined vault structure at terminal
1-22-99	[redacted] calls Allwaste and cancels rental for roll-off box; Allwaste states it will pick up the relinquished roll-off box during the first part of the following week
2-1-99	Hess investigation team samples single remaining roll-off box at terminal, which contains T-144 bottom material
2.2-99	Hess receives results of sample collected on 2-1-99, indicating a total benzene content of 1536 mg/kg; Hess notifies National Response Center of likely CERCLA-reportable release
2-3-99	Contents of concrete-lined vault structure are excavated, placed in two newly rented roll-off boxes; amount excavated exceeds amount reportedly originally removed from T-144
2-4-99	Contents of roll-off boxes containing excavated material are sampled and composite is analyzed for disposal characterization; when TCLP results are received later, they show: As less than 0.1 mg/l; Ba less than 0.3 mg/l; Pb less than 0.4 mg/l; benzene 0.11 mg/l
2-9-99	Hess requests 30 day extension to 90 day accumulation period from TNRCC; request is granted by TNRCC

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2-11-99	TCLP results from sample collected on 2-1-99 are received; benzene TCLP level is 5.48 mg/l
2-25-99	Two of three roll-off boxes are transported for off-site disposal; third is scheduled to be picked up on 2-26-99

Sample Log Initials



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Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAK
1-28-98	1000	✓		1/16"	11.24		✓			✓	JOR
1-29-98	1000	✓		1/16"	11.24		✓			✓	JOR
1-30-98	[illegible]	✓		1/16	11.24		✓				
2-3-98	1045	✓		1/16"	11.24		✓		✓		JOR
2-4-98	0830	✓		1/16	11.24		✓			✓	JORDA
2-5-98				1/16	11.24						
2-6-98	0830	✓		1/16	11.24		✓			✓	Jorda
2-12-98	2000	✓		1/16	11.24		✓		✓		JORD
2-13-98	1200	✓		1/16	11.24		✓			✓	JORDA
2-14-98	0800	✓		1/16	11.24		✓			✓	Jorda
2-15-98	1330	✓		1/16	11.24		✓			✓	Jordan
2/16/98	0830	✓		3in	923	✓			✓		Jordan
2/17/98	0830	✓		1/16	11.24		✓			✓	Jordan
2/17/98	1625		✓	Samples ugtank 1 H2SO4 2 Benzen	from outlet 8 tl. Btls		✓			✓	Jorda
2/18/98	1230	✓		1/16	11.24		✓			✓	Jordan
2/20/98	0830	✓		1/16	11.24		✓			✓	Jorda
2-21-98	1030	✓		1/16	11.24		✓			✓	JORDA

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Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB Tak. b6 b7C
11-23-97	0930	✓		1/16	11.24		✓			✓	JORS
12-1-97	1100	✓		1/16	11.24		✓		✓		JORD
12-5-97	0800	✓		1/16	11.24		✓			✓	JOR
12-6-97	1000	—		1/16	11.24		—			—	JOR
12-7-97	1000	—		1/16	11.24		—			—	JOR
12-10-97	1420	✓		1/16	11.24		✓		✓		JOR
12-12-97	0800	✓		1/16	11.24		✓			✓	JORDA
12-13-97	0800	✓		1/16	11.24		✓			✓	JORDA
12-14-97	0130	✓		1/16	11.24		✓			✓	JORD
12-18-97	0800	✓		1/16	11.24		✓		✓		JORD
12-19-97	0930	✓		1/16	11.24		✓			✓	JORD
12-20-97	1130	✓		1/16	11.24		✓			✓	JORD
12-25-97	0800	✓		1/16	11.24		✓			✓	JORDA
12-26-97	0900	—		1/16	11.24		—			—	JORDA
12-28-97	1000	—		1/16	11.24		—			—	JORDA
12-29-97	0900	—		1/16	11.24		—		—		[illegible]
1-4-98	1330	✓		1/16	11.24		✓			✓	JORDA

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAK
1-5-98	0830	✓		1/16	11.24		✓		✓		JORD
1-6-98	0830	✓		1/16	11.24		✓			✓	
1-8-98	0900	✓		1/16	11.24		✓			✓	
1-9-98	0830	✓		1/16	11.24		✓		✓		JORD
1-10-98	0800	✓		1/16	11.24		✓			✓	JORD
1-13-98	1315	✓		1/16	11.24	✓			✓		JORDA
1-14-98	0800	✓		1/16	11.24		✓			✓	JORD
1-14-98	1010	SUMP AT FENCE									JORD
1-15-98	0830	✓		1/16	11.24		✓			✓	JORD
1-17-98	1020	✓		1/16	11.24		✓			✓	JORD
1-18-98	0930	✓		1/16	11.24		✓			✓	JORD
1-22-98	1330	✓		1/2	90.0	✓			✓		JORD
1-23-98	1600	—		1/16	11.24		—			—	JORD
1-24-98	1000	—		1/16	11.24		—			—	JORDA
1-25-98	1000	—		1/16	11.24		—			—	JORD
1-26-98	0830	—		1/16	11.24		—		—		JORD
1-27-98	1000	—		1/16	11.24		—			—	JORDA

b6
b7C

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAT
2/22/98	1135	✓		1/16"	11.24		✓			✓	JOR.
2/23/98	1400	✓		1/16"	11.24		✓		✓		JORD.
2/24/98	1315	✓		1/16"	11.24		✓			✓	JORD
2/25/98	0945	✓		1/16"	11.24		✓			✓	JORD
3-2-98	1400	✓		1/16	11.24		✓		✓		JORD
3-3-98	0800		✓	1/16	11.24		✓			BTEX	JORD
3-3-98	0830	✓		1/16	11.24		✓			✓	JORD
3-4-98	0900	✓		1/16"	11.24		✓			✓	JORD
3-5-98	0400	✓		1/16"	11.24		✓			✓	JORD
3-8-98	0040	✓		3"	926	✓				✓	JORD
3-9-98	0846	✓		1/16	11.24		✓		✓		JORDA
3-12-98	1630	✓		1/16	11.24	✓				✓	JORD
3-13-98	1216	✓		2"	506	✓				✓	JORD
3-14-98	0530	✓		1"	179.8	✓				✓	JORD
3-15-98	1550			1/16	11.24	✓				✓	JORD
3-16-98	0800	✓		3"	926	✓			✓		JORDA
3-17-98	1000	✓		1/16	11.24		✓			✓	JORD

b6
b7C

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKE
3-19-98	1950	✓		1/16	11.24		✓			✓	JOI b6 b7C
3-20-98	0800	—		1/16	11.24		—			—	
3-21-98	1045	—		1/16	11.24		—			—	JORDA
3-22-98	1000	—		1/16	11.24		—			—	
3-24-98	0600	—		1/16	11.24		—		—		JORDA
4-1-98	1100	✓		1/16	11.24		✓		✓		JORDI
4-3-98	0830	✓		1/16	11.24		—			✓	JORDAN
4-4-98	0845	✓		1/16	11.24		✓			✓	JORDA
4-5-98	0900	✓		1/16	11.24		✓			✓	JORDA
4-6-98	0830	✓		1/16	11.24		✓		✓		JORDA
4-8-98	0830	✓		1/16	11.24		✓			✓	JORDA
4-9-98	1500	✓		1/16	11.24		✓			✓	JORDA
4-10-98	0845	✓		1/16	11.24		✓			✓	Jordi
4-11-98	0830	✓		1/16	11.24		✓			✓	JORDA
4-12-98	1000	✓		1/16	11.24		✓			✓	Jordi
4-13-98	0830	✓		1/16	11.24		✓		✓		JORDA
4-16-98	0830	✓		1/16	11.24		✓			✓	JOR

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB Take
4-18-98	0800	—		1/2"	8.99	—				—	Jord
4-19-98	1040	✓		1/16	11.24		✓			✓	Jordo
4-21-98	0920	—		1/16	11.24		—		—		JORD
4-22-98	0830	—		1/16	11.24		—			—	JORD
4-26-98	2015	✓		1/16	11.24		✓			✓	JORD
4-27-98	0926	✓		1/16	11.24		✓		✓		JORO
4-28-98	1400	✓		1/16	11.24		✓			✓	JORO
5-2-98	0830	✓		1/16	11.24		✓			✓	Jordn
5-3-98	0815	✓		1/16	11.24		✓			✓	JORD
5-4-98	0815	✓		1/16	11.24		✓		✓		JORO
5-6-98	1330	✓		1/16	11.24		✓			✓	JORD
5-7-98	0900	✓		1/16	11.24		✓			✓	Jord
5-8-98	0820	✓		1/16	11.24		✓			✓	Jord
5-9-98	1330	✓		1/16	11.24		✓			✓	Jo
5-10-98	1400	✓		1/16	11.24		✓			✓	Jo
5-11-98	0830	✓		1/16	11.24		✓		✓		Jord
5-12-98	0831	✓		1/16	11.24		✓			✓	Jord
5-19-98	1945	—		1/16	11.24		—		—		Jord

b6
b7C

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	sampled by	Full	Partial	LAB TAK
5-21-98	1000	✓		1/16"	11.24		✓				b6 b7C
5-22-98	~~0800~~	✓		1/16"	11.24		✓			✓	
5-22-98	0800		X	1/16	11.24		✓			BTEX	
5-24-98	0950	✓		1/16	11.24		✓			✓	
5-25-98	0930	✓		1/16	11.24		✓		✓		
5-26-98	1115	✓		1/16	11.24		✓			✓	
5-27-98	0910	✓		1/16	11.24		✓			✓	
5-28-98	2130	✓		1/16	11.24		✓			✓	
5-29-98	0830	✓		1/16	11.24		✓			✓	
5-31-98	1130	✓		1/16	11.24		✓			✓	
6-1-98	0825	✓		1/16	11.24		✓		✓		
6-2-98	1615	✓		1/16	11.24		✓			✓	
6-3-98	0820	✓		1/16	11.24		✓			✓	
6-3-98	0820		✓	1/16	11.24		✓			BTEX	
6-4-98	0930	✓		1/16	11.24		✓			✓	
6-5-98	1130	✓		1/16	11.24		✓			✓	

Date	Time	Weir sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	sampled by	Full	Partial	LAB TAK
6-13-98	0830	/		1/16	11.24		/			/	b6 b7C Jor
6-14-98	0960	/		1/16	11.24		/			/	Jord
6-15-98	0800	/		1/16	11.24		/		/		Jord
6-16-98	0740	/		1/16	11.24	/				/	Jord
6-17-98	1300	✓		1/16	11.24		✓			✓	Jordo
6-21-98	1330	✓		1/16	11.24		✓			✓	JORDA
6-22-98	0915	✓		1/16	11.24		✓		✓		JORD
6-24-98	1030	✓		1/16	11.24		✓			✓	JORD
6-27-98	1200	✓		1/16	11.24		✓			✓	JORDA
6-28-98	1200	✓		1/16	11.24		✓			✓	JORDA
6-29-98	1300	✓		1/16	11.24		✓		✓		JORDA
6-30-98	0945	✓		1/16	11.24		✓			✓	JORDA
7-1-98	0815	✓		1/16	11.24		✓			✓	JORDA
7-2-98	0800	✓		1/16	11.24	/	✓			✓	JORDA
7-3-98	0810	✓		1"	180	/				/	Jordan

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAK
7-4-98	1435	✓		1/16	11.24		✓			✓	b6 -1,b7C
7-5-98	0910	✓		1/16	11.24		✓			✓	Jord
7-6-98	0925	✓		1/16	11.24		✓		✓		Jord
7-7-98	0815	✓		1/16	11.24		✓			✓	Jord
7-8-98	0815	✓		1/16	11.24		✓			✓	Jord
7-9-98	0835	✓		1/16	11.24		✓			✓	Jo
7-11-98	1800	✓		1/16	11.24		✓			✓	Jord
7-12-98	0930	✓		1/16	11.24		✓			✓	Jord
7-13-98	0935	✓		1/16	11.24		✓		✓		Jord
7-14-98	0840	✓		1/16	11 24		✓			✓	[illegible]
7-15-98	13:30	✓		1/16	11.24		✓			✓	Jor
7-16-98	08:30	✓		1/16	11.24		✓			✓	Jor
7-17-98	1040	✓		1/16	11.24		✓			✓	JORD
7-18-98	07.30	✓		1/16	11.24		✓			✓	Jord
7-1998	0:700	✓		1/16	11.24		✓			✓	Jord
7-20-98	0945	✓		1/16	11.24		✓		✓		JOR
7-21-98	1015	✓		1/16	11.24		✓		✓		JORD

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKEN
7-22-98	0820	✓		1/16	11.24		✓			✓	JORONI
7-25-98	1130	✓		1/16	11.24		✓			✓	JORDAN
7-26-98	0845	✓		1/16	11.24		✓			✓	JORDAN
7-27-98	0830	✓		1/16	11.24		✓		✓		JORDAN
7-28-98	0800	✓		1/16	11.24		✓			✓	JORDAN
7-29-98	0510	✓		1/16	11.24		✓			✓	JORDAN
7-30-98	1000	✓		1/16	11.24		✓			✓	JORDAN
7-31-98	11:10	✓		1/16	11.24		✓			✓	JORDAN
8-2-98	11:20	✓		1/16	11.24		✓			✓	JORDAN
8-3-98	0745	✓		1/16	11.24		✓		✓		JORDAN
8-5-98	1350	✓		11½	6780	✓				✓	JORDAN
8-6-98		✓		1/2	90	RAIN RUN-OFF ✓				✓	JORDAN
8-7-98	0930	✓		1/8	4.43	RAIN RUN OFF	✓			✓	JORDAN
8-8-98	0830	✓		1/16	11.24		✓			✓	JORDAN
8-9-98	0900	✓		1/16	11.24		✓			✓	JORDAN
8-10-98	0640	✓		1/16	11.24		✓		✓		JORDAN
8-12-98	0845	✓		1/16	11.24		✓			✓	JORDAN

b6
b7C

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKEN
8-13-98	0900	✓		1/16	11.24		✓			✓	JORDAN
8-14-98	0845	✓		1/16	11.24		✓			✓	JORDAN
8-18-98	11:20	✓		1/16	11.24		✓		✓		JORDAN
8-20-98	1710	✓		1/16	11.24		✓			✓	JORDAN
8-21-98	0820	✓		1/16	11.24		✓			✓	JORDAN
8/22/98	0830	✓		1/4	45	✓				✓	Jordan
8/24/98	0645	✓		6"	2600 GPM	✓			✓		Jordan
8-26-98	0700	✓		6"	2600 GPM	✓				✓	Jordan
8-27-98	0820	✓		1/16	11.24		✓			✓	JORDAN
8-28-98	0930	✓		1/16	11.24		✓			✓	JORDAN
8-29-98	0830	✓		1/16	11.24		✓			✓	JORDAN
8 29.98	0820	✓		1/16	11.24		✓			✓	Jordan
9-3-98	1200	✓		[illegible]	[illegible]		✓		✓		
9-4-98	0820	✓		1/16	11.24		✓			✓	JORDAN
9-5-98	0915	✓		1/16	11.24		✓			✓	JORDAN
9-8-98	0815	↘		1/16	11.24		↘		↘	↘	JORDAN
9-9-98	1235	↘		2"	506	↘				↘	JORDAN

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Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKEN
10-12-98	11:30	✓		1/16	11.24		✓		✓		b6 b7C Jordan
10-18-98	1100	✓		0	0	✓					
10-19-98	0830	✓		1"	511.6	✓			✓		Jordan
10-20-98	0815	✓		2	506	✓				✓	Jordan
10-21-98	0300	✓		1/16	11.24		✓			✓	Jordan
10-22-98	0830	✓		1/16	11.24		✓			✓	Jordan
10-24-98	0830	✓		1/16	11.24		✓			✓	JORDAN
10-25-98	1000	✓		6 1/2	2920	✓				✓	JORDAN
10-26-98	1230	✓		1/16	11.24		✓		✓		Jordan
10-28-98	0910	✓		1/16	11.24		✓			✓	Jordan
10-29-98	0730	✓		1/16	11.24		✓			✓	Jordan
10-30-98	1005	✓		1/16	11.24					✓	JORDAN
10-31-98	1630	✓		1/16	11.24		✓			✓	JORDAN
11-1-98	1130	↘		1/2	89.9	↘			↘	↘	JORDAN
11-2-98	1720	✓		1/16	11.24		✓		↘	✓	Jordan
11-3-98	0815	↘		1/16	11.24		↘			↘	JORDAN
11-5-98	0400	✓		5	1995	✓				✓	JORDAN

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled	Full	Partial	LAB TAKEN
11-6-98	0840	✓		1/16	11.24		✓			X	JORDAN
11-12-98	1030	✓		2 in.	50.6	✓			X		Jordan
11-14-98	1000	✓		3"	92.1	✓				X	Jordan
11-15-98	0830	✓		1/16	11.24		✓			X	Jordan
11-16-98	0810	✓		1/16	11.24		✓		✓		Jordan
11-19-98	0925	✓		1/16	11.24		✓			✓	Jordan
12-3-98	1415	✓		1/16	11.24		✓		✓		Jordan
12-4-98	1000	✓		1/16	11.24		✓			✓	Jordan
12-5-98	0810	✓		1/16	11.24		✓			✓	JORDAN
12-6-98	0830	✓		1/16	11.24		✓			✓	JORDAN
12-7-98	0930	✓		1/16	11.24		✓		✓		JORDAN
12-8-98	1500	✓		1/16	11.24		✓			✓	Jordan
12-10-98	1330	✓		1/16	11.24		✓			✓	Jordan
12-11-98	1800	✓		1/16	11.24		✓			✓	JORDAN
12-13-98	0930	✓		1/16	11.24		✓			✓	JORDAN
12-14-98	0800	✓		1/16	11.24		✓		✓		JORDAN
12-17-98	0730	✓		1/16	11.24		✓			✓	JORDAN

b6
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Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKEN
12/18/98	0900	✓		1/16	11.24		✓			✓	Jordan
12/19/98	1000	✓		1/16	11.24		✓			✓	JORDAN
12/20/98	1000	✓		1/16	11.24		✓			✓	JORDAN
12/21/98	2000	✓		1/16	11.24		✓		✓		JORDAN
12/22/98	1000	✓		1/16	11.24		✓			✓	JORDAN
12-25-98	0830	↘		1/16	11.24		↘			↘	JORDAN
12-26-98	1030	↘		1/16	11.24		↘			↘	JORDAN
12-27-98	1415	↘		1/16	11.24		↘			↘	JORDAN
12-28-98	0830	↘		1/16	11.24		↘			↘	JORDAN
12-29-98	1700	✓		1/16	11.24		✓			✓	JORDAN
12-30-98	1015	↘		1/16	11.24		↘			↘	JORDAN
12-31-98	0930	✓		1/16	11.24		✓			✓	JORDAN
1-1-99	1508	✓		1/16	11.24		✓			✓	JORDAN
12-23-98	1000	✓		1/16	11.24		✓			✓	JORDAN
12-24-98	1006	✓		1/16	11.24		✓			✓	JORDAN
1-8-99	2000	✓		1/16	11.24		✓			✓	JORDAN
1-10-99	0850	✓		1/16	8.37 55.4° 11.24		✓			✓	JORDAN

b6
b7C

Date	Time	Weir Sample	Water Plant Sample	Flow	GPM	Wet Weather	Dry Weather	Sampled by	Full	Partial	LAB TAKEN
				2.23 11.8 2 mc	44°						b6 b7C
1-11-99	0900	✓		1/16	11 gpm		✓		✓		Jordan
1-18-99	1900	✓		1/16	11.24		✓		✓		JORDAN
1-19-99	0830	✓		1/16	11.24		✓			✓	JORDAN
1-20-99	0930	✓		1/16	11.24		✓			✓	JORDAN
1-23-99	1050	✓		1/16	11.24		✓			✓	JORDAN
1-24-99	0830	✓		1/16	11.24		✓			✓	JORDAN
1-26-99	1040	✓		1/16	11.24		✓		✓		JORDAN
1-28-99	1110	✓		2 1/2	700		✓			✓	JORDAN
1-29-99	930	✓		2 1/2	706		✓			✓	JORDAN

GULF COAST TERMINALS - CORPUS CHRISTI, TEXAS

PERSONNEL DATA

EBRUARY, 1999

AMERADA HESS EMPLOYEES

EMPLOYEE	CLASSIFICATION	S/S NO	DATE OF HIRE	DATE OF BIRTH	PLACE OF BIRTH	CURRENT MAILING ADDRESS	HOME PHONE
	RECOV TECHNICIAN						
	TERMINAL SUPERVISOR						
	TERMINAL OPERATOR						
	TERMINAL OPERATOR						
	RECOV TECHNICIAN						
	TERMINAL SUPERINTENDENT						
	ACCOUNTING ASSOCIATE						
	TERMINAL OPERATOR						
	TERMINAL OPERATOR						

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CONTRACTOR (R&R CONTRACTORS)

EMPLOYEE	CLASSIFICATION	S/S NO	DATE OF HIRE	DATE OF BIRTH	PLACE OF BIRTH	CURRENT MAILING ADDRESS	HOME PHONE
	QUALIFIED DOCKMAN						
	WELDER						
	LABORER						
	GAUGER'S HELPER						
	GAUGER'S HELPER						
	QUALIFIED DOCKMAN						
	GAUGER'S HELPER						
	QUALIFIED DOCKMAN						
	QUALIFIED DOCKMAN						
	QUALIFIED DOCKMAN						
	QUALIFIED DOCKMAN						

CONTRACTOR (J.M. DAVIDSON)

EMPLOYEE	CLASSIFICATION	S/S NO	DATE OF HIRE	DATE OF BIRTH	PLACE OF BIRTH	CURRENT MAILING ADDRESS	HOME PHONE
	PAINTER						
	PAINTER						

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/17/1999

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[redacted] currently residing at [redacted] home telephone number [redacted] was interviewed at his place of employment, AMERADA HESS CORPORATION (AHC) Storage Tank Terminal, Poth Lane, Corpus Christi, Texas, work telephone number [redacted] was interviewed by [redacted] Investigator, Special Investigations Division, Region 14, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), Corpus Christi, Texas and SA [redacted] FEDERAL BUREAU OF INVESTIGATION (FBI), Corpus Christi, Texas. Having been advised of the identities of the interviewing Agents and the purpose of the interview, [redacted] provided the following information:

[redacted] recalled that during December 1998, he was asked by [redacted] the AHC Plant Manager to "re-pull" wastewater samples for certain dates. He further recalled being given a list of dates by [redacted] According [redacted] was present. When [redacted] questioned [redacted] how he wanted the chain of custody forms handled [redacted] had a private conversation with [redacted] who was also present. After their conversation, [redacted] instructed [redacted] that the custody forms should be the same as originally filled out. [redacted] recalled preparing 12 to 20 jars for the "re-pulled" samples. He prepared the jars by affixing labels with the old dates [redacted] recalled that samples had been "re-pulled" and labeled for six to eight different days in December 1998. Most of the sample jars were four to six ounce jars. He recalled he had filled out the majority if not all of the new chain of custody forms and labels. He stated that the "re-pulled" samples had been taken the same day as requested by [redacted] and that they had been taken by both [redacted] and himself. To the best of his recollection, the samples had been taken to JORDAN LABORATORIES the same day by [redacted]

When exhibited copies of chain of custody forms for December 18, through the December 23, 1998 [redacted] acknowledged he had filled out each of these forms for the "re-pulled samples". When exhibited the chain of custody form for December 24, 1998, [redacted] stated this form had not been prepared by him. He assumed that [redacted] had prepared the form but was unsure if he [redacted] had

Investigation on 5/14/1999 at Corpus Christi, Texas

File # 249A-HO-53027 - 14 Date dictated 5/17/1999

by SA [redacted]

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taken the samples on December 24 because the log book did not reflect entries indicating that samples had in fact been taken. [redacted] added that he had subsequently forged [redacted] initials on the log book because he knew [redacted] had been working the day shift on that particular day [redacted] explained that the day shift operators usually take the wastewater samples, when water is running.

[redacted] initialed and dated the forms which were exhibited to him.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/20/1999

[redacted] Investigator, Special Investigations Unit, Region 14, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TRNCC), Corpus Christi, Texas, telephone number [redacted] made available copies of the following documents all of which are attached hereto:

1. Three page Conference Record dated February 5, 1999 memorializing a conference held between TNRCC and AMERADA HESS CORPORATION (AHC). The document was prepared by [redacted] Environmental Investigator, TNRCC Region 14.

2. Three page AHC letter dated February 4, 1999 addressed to [redacted] TNRCC, 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas regarding Non-Compliance of NPDES (National Pollutant Discharge Elimination System) Permit # TX0072737; TNRCC Permit # WQ0002070-000; EPA Generator ID # TXD091698951. This letter was apparently prepared by [redacted]

3. Two page AHC letter dated February 4, 1999 addressed to [redacted] Attorney, Office of Enforcement and Compliance, US EPA, regarding the AHC Corpus Christi Terminal. This letter was signed by [redacted]

4. Report of Interview (ROI) prepared by [redacted] reflecting results of an interview of [redacted] on April 6, 1999.

5. ROI prepared by [redacted] reflecting results of an interview of [redacted] on April 7, 1999.

6. ROI prepared by [redacted] Criminal Investigator, TEXAS PARKS AND WILDLIFE DEPARTMENT, 4200 Smith School Road, Austin, Texas reflecting results of an interview of [redacted] on May 11, 1999.

7. ROI prepared by [redacted] reflecting results of an interview of [redacted] on April 6, 1999.

Investigation on 5/18/1999 at Corpus Christi, Texas

File # 249A-HO-53027 - 5 Date dictated 5/20/1999

by SA [redacted]

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8. Two page report reflecting results of a search conducted of TNRCC's Enforcement Database regarding AHC.

CONFERENCE RECORD

Date: February 5, 1999; 8:30 AM

Location: TNRCC Region 14 Office

Attendees: [redacted] Amerada Hess Corporation
[redacted] Amerada Hess Corporation
[redacted] Amerada Hess Corporation
[redacted] Amerada Hess Corporation
[redacted] Vinson & Elkins L.L.P.
[redacted] TNRCC Region 14 Office
[redacted] TNRCC Region 14 Office
[redacted] TNRCC Region 14 Office
[redacted] TNRCC Special Investigations
[redacted] TNRCC Region 14 Office

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Subject: Amerada Hess Corporation - Corpus Christi Terminal; TNRCC Solid Waste Registration No. 39033; EPA ID No. TXD091698951; TNRCC Wastewater Permit No. WQ-02070

Amerada Hess Corporation (Hess) representatives elaborated on previously reported environmental violations which had occurred at the subject facility. [redacted] described "three affected media" - wastewater, waste, and air.

Wastewate[redacted] described the events leading to wastewater discharge exceedances. Washwater from the cleaning of tank 144 (tank 144 had previously contained natural gas condensate contaminated with coal owned by "Equistar") was routed to tank 72 which feeds the Hess wastewater treatment system. According t[redacted] the water became anaerobic within tank 72, resulting in a black discoloration of the water and high total organic carbon (TOC) content. The Hess wastewater system consists of oil/water separation, air stripping, and activated carbon polishing and was apparently unable to treat the high TOC tank washwater (99% of the wastewater system volume is normally contaminated ground water, according to Hess). Hess terminal operators, upon noticing the black coloration of the wastewater effluent, diverted the wastewater flow to discharge onto a grassy area within the terminal. Effluent samples were collected by Hess operators from the "hose" discharging onto the grassy area. Other effluent samples were apparently taken at Hess outfall 001 and beyond the "gate" (downstream of the outfall). Upon receipt of noncompliant analyses from the sampling event, Hess terminal personnel apparently falsified the TNRCC Monthly Effluent Report (MER) for December 1998 by indicating no exceedances. [redacted] provided TNRCC staff with a corrected MER for December 1998 which indicated a total of nine exceedances for TOC and a total of 27 exceedances for "discharge days". The wastewater treatment plant is currently inactive and there has been no discharge since January 29, 1999. Hess personnel will employ ozonation and add hydrogen peroxide to rid the plant components of residual anaerobic bacteria. [redacted] also stated that the January 1999 MER will be submitted to the TNRCC

shortly. Apparently the effluent sample locations utilized during January 1999 were incorrect, and two additional exceedances will be reported.

Waste [redacted] described the events leading the burial of tank bottom sludge. Hess terminal personnel generated two roll-off boxes of tank bottom sludge during the cleaning of tank 144. One box contained a "liquidy" material which was disposed of off-site as a hazardous waste (EPA waste code D018). The other box contained a "solid" waste and was covertly emptied into a below grade concrete "vault" (apparently part of the foundation of old Hess refinery process units) and covered with soil. When Hess corporate staff became aware of the burial, the waste was exhumed, placed into a roll-off box, and is currently being characterized for disposal. A laboratory report provided to TNRCC staff revealed that the total benzene concentration of the buried waste was 390 mg/kg. Soil samples will be collected from the surrounding soil to determine if a release from the concrete "vault" had occurred. Hess indicated that there may be additional areas of waste burial at the subject facility and additional investigation is ongoing.

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Air [redacted] stated that the "heater" which warms fuel oil for transport and storage at the Hess terminal burns off-gas from the air stripper portion of the wastewater treatment plant. The "heater" temperature must be maintained at 1400° Fahrenheit in order for Hess to retain their standard exemption. The anonymous informant had reported that air regulations were being violated because the thermocouple had been installed in the firebox rather than the stack. Hess research revealed that the thermocouple was correctly placed to monitor combustion temperature as required by the standard exemption.

[redacted] then discussed the possible motivation for Hess terminal personnel to have performed the above mentioned actions. A [redacted] replacing [redacted] Apparently [redacted] felt he "could save the company some money" by routing the tank wash water through the wastewater treatment system and disposing of waste on-site. [redacted] also stated that a rumor implying the terminal was for sale may have caused [redacted] to want to conceal his actions by falsifying the MER, and thus perhaps retain his position with the next company.

The following documents were presented to TNRCC staff by Hess representatives:

1. A letter dated February 4, 1999 from [redacted] describing the above mentioned noncompliances. The letter had the following attachments:
 - "Attachment 1", a booklet entitled Business Practice Guide - Amerada Hess Corporation;
 - "Attachment 2, the corrected Monthly Effluent Report for December 1998;
 - "Attachment 3", a Wastewater Discharge Outfall Summary - November 1998, December 1998, and January 1999; and
 - "Attachment 4", Solid Waste Laboratory Characterization Report.

2. A report entitled Amerada Hess Corporation Corpus Christi, Texas Terminal; Jordan Lab Weir Sample Analysis (November, 1998; December, 1998; January 1999).

Prepared by:

[redacted]

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[redacted] Environmental Investigator
TNRCC Region 14 Office

AMERADA HESS CORPORATION
One Hess Plaza
Woodbridge, New Jersey 07095

ROBERT T. EHRLICH
Vice President
Corporate Environmental Affairs
(732) 750-7009
FAX: (732) 750-6105

February 4, 1999

VIA CERTIFIED MAIL NO. Z 479 224 597

[redacted] b6 b7C

Texas Natural Resource Conservation Commission
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412-5503

Re: Amerada Hess Corporation
Corpus Christi Terminal
Non-Compliance: NPDES Permit No. TX0072737
TNRCC Permit No. WQ0002070-000
EPA Generator ID No. TXD091698951
Stat ID No. 39033
TNRCC Standard Exemption 68
TNRCC Standard Exemption No. X-22839

Dea[redacted]

This letter is being submitted as a written follow-up to my oral reports on January 29, 1999 and February 1, 1999 of environmental non-compliance to your staff. The non-compliance issues were discovered with the Corporation's Internal Hotline Reporting Procedure (Attachment 1) which is operated by the Corporate Audit Department. The alleged non-compliance falls broadly into three (3) media: wastewater, solid waste and air.

At the time, I indicated that we had discovered several apparent non-compliance issues related to the Corpus Christi Terminal's referenced permits. The non-compliance issues included submittal of an incorrect Monthly Effluent Report for December and failure to report permit exceedances, improper disposal of hazardous waste, and incorrect operation of a process heater when used as a thermal control device. Discussion of these issues follows.

Wastewater

A revised Monthly Effluent Report for December 1998 is being included (Attachment 2) with this report. The corrections are shown in brackets on a photocopy of the Monthly Effluent Report. Additionally, a Wastewater Discharge Outfall Summary (Attachment 3)

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and laboratory reports are attached to supplement the correction information. The significant correction reflects nine (9) exceedances for Total Organic Carbon (TOC). A number of the samples may not have been collected at the designated sampling point, but they are generally representative of the water quality being discharged. Terminal personnel attempted to avoid a discharge of the wastewater by land-application. Thus, some samples were collected at the point of land application. We have not yet been able to resolve all of the sampling/analytical discrepancies. These issues continued during January 1999 until the water treatment plant was shut down on January 29, 1999. It is possible that some of the land-applied wastewater flowed via the stormwater drainage system through the outfall. All other wastewater quality parameters limits were met.

The reason for the TOC exceedances appears to be related to Terminal Operations attempting to process tank bottom water through the groundwater recovery system. The tank bottom water has a significantly higher TOC content than the groundwater, which is normally processed. The wastewater system will be optimized using ozonation and additional carbon treatment prior to restarting the unit. This optimization will facilitate treatment which will meet the permit limits.

Solid Waste

Tank bottom sludge generated from a tank cleaning was reported to have been disposed of on-site. We have verified that this did occur. The solid waste was characterized as hazardous and a CERCLA notification was made on February 2, 1999. A copy of the characterization is attached (Attachment 4). The waste was disposed of in a concrete lined pit. The solid waste has been excavated and contained for off-site disposal at a RCRA approved facility. The impact assessment and remediation of the disposal site will be done as part of the terminal's ongoing Facility Remediation Program (TNRCC Registration No. 39033) directed by TNRCC Pollution Cleanup Division. The Corporation is investigating reported on-site disposal of additional solid waste. Results of the investigation and proposed remediation will be submitted to TNRCC for review and approval.

Air

Some of the terminal personnel expressed concerns that the heater being used to control emission from the wastewater treatment air stripper was being operated incorrectly. We have investigated this issue and the heater may meet the requirements of the permit described in Title 3D, Part 1, Chapter 106, Subchapter V, Thermal Control Devices, Paragraph 106.493, Direct Flame Incinerators.

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Amerada Hess will retain the services of an outside consultant to review the furnace design and operation to verify that the furnace meets the permit requirements.

Amerada Hess is continuing to investigate these issues and will fully cooperate with your agency in this matter. The Corporation deeply regrets and apologizes in this matter. The Corporation has taken corrective action with the employees responsible for the violations to prevent recurrence. This issue is not typical of the Corporation and its employees who are committed to operating their facilities in an environmentally sound manner.

Please call me if you have any questions or require any additional information.

Very truly yours,

Robert T. Ehrlich

RTE:aw
S:\aw\rcVet99\TNRCC011

CC: VIA CERTIFIED MAIL NO. Z 479 224 624
[redacted] Attorney
Office of Enforcement and Compliance
U. S. Environmental Protection Agency
Region 6 – MS 6EN-LH
1445 Ross Avenue
Dallas, Texas 75202-2733

VIA CERTIFIED MAIL NO. Z 479 224 625
TNRCC
Database and Administration Team (MC-224)
Water and Multimedia Section, Enforcement Division
P. O. Box 13087
Austin, Texas 78711-3087

AMERADA HESS CORPORATION
One Hess Plaza
Woodbridge, New Jersey 07095

ROBERT T. EHRLICH
Vice President
Corporate Environmental Affairs
(732) 750-7009
FAX: (732) 750-6105

February 4, 1999

VIA FAX: 214-665-3177 and
CERTIFIED MAIL NO. Z 479 224 621

[redacted] Attorney
Office of Enforcement and Compliance
U. S. Environmental Protection Agency
Region 6 – MS 6EN-LH
1445 Ross Avenue
Dallas, Texas 75202-2733

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Re: Amerada Hess Corporation
Corpus Christi Terminal

Dear [redacted]

This letter is to confirm our conversation of February 3, 1999. Based on information received on January 29, 1999, Amerada Hess Corporation has reason to believe that one or more discharge monitoring reports may not have been submitted pursuant to the Corpus Christi Terminal's NPDES permit and that other water-related violations may have occurred. In addition, violations of the Clean Air Act and the federal hazardous waste statues also may have occurred at the terminal. Amerada Hess Corporation is currently investigating these possible violations and have provided a preliminary report to the Texas Natural Resource Conservation Commission (TNRCC). A copy of that report is being sent with the mail copy.

I understand that EPA enforcement program may differ from TNRCC but to the extent possible we will attempt to provide consistent corrective action on this issue. The TNRCC contact is [redacted] Special Investigative Unit [redacted]

Amerada Hess is continuing to investigate these issues and will fully cooperate with your agency in this matter. The Corporation deeply regrets and apologizes in this matter. The Corporation has taken corrective action with the employees responsible for the violations to prevent recurrence. This issue is not typical of the Corporation and its employees who are committed to operating their facilities in an environmentally sound manner.

Please call me if you have any questions or require any additional information.

Very truly yours,

Robert T. Ehrlich

Robert T. Ehrlich

RTE:aw
Attachment
S:\aw\re\let99\USEPA012

CC: VIA CERTIFIED MAIL NO. Z 479 224 622
[redacted] (w/attachment)
TNRCC
6300 Ocean Drive
Suite 1200
Corpus Christi, Texas 78412-5503

VIA CERTIFIED MAIL NO. Z 479 224 623
[redacted]
Special Investigative Unit
TNRCC
6300 Ocean Drive
Corpus Christi, Texas 78412-5503

REPORT OF INTERVIEW

[redacted]

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ON

APRIL 6, 1999

On April 6, 1999 at approximately 6:00 P.M [redacted] was interviewed a[redacted] was interviewed by [redacted] an investigator with the Texas Parks and Wildlife Environmental Special Investigations Unit, and [redacted] an investigator for the Texas Natural Resource Conservation Commission, Special Investigations Unit. The investigation is being conducted state and federal agencies as part of the Texas Environmental Enforcement Task Force.

[redacted] was advised as to the nature of the interview and stated that he had been waiting for someone to come talk to him about allegations and incidents which he says occurred at the AMERADA HESS CORPORATION (AHC) Corpus Christi Terminal.

Personal Information:

DOB: [redacted] POB: [redacted]
SSN:
TXDL#:
Home Address: [redacted]
Home phone:

Education: [redacted]

Work History:
[redacted] started work for AMERADA Hess Corporation o[redacted] this gives him [redacted] years with the company [redacted] also worked [redacted] years with a contractor [redacted] before going to work for AHC.

[redacted] currently works as a [redacted] At one tim[redacted] worke[redacted] years as a [redacted] The[redacted] are also responsible for taking samples from the wastewater stream when the wastewater operators aren't on duty.

[redacted] told investigators tha[redacted] during the months of [redacted]

[redacted] dvised that in the past he has sent [redacted] different letters as well a[redacted] photos to the AHC corporate offices in order to advise them of problems at the Corpus Christi Terminal facility. Finally in January of 1999 [redacted] dvised that he called the AHC employee hot line to advise the corporation of alleged activities taking place at the AHC Corpus Christi Terminal mainly by [redacted]

[redacted] spoke with [redacted] n charge of Corporate audits in the New Jersey main office. As a result of the call [redacted] came to Corpus Christi and with assistance from [redacted] initiated an investigation at the Corpus Christi Terminal.

[redacted] advised that some of the issues which he referenced in the letters and in his phone conversation with [redacted] were:

- The wastewater plant outflow was being diverted and discharged to a grassy field for some unknown reason. [redacted] hinks something was wrong with the water.
- [redacted] was telling employees to perform unsafe task at the plant.
- Water from tank bottoms laden with heavy concentrations of benzene were being processed for treatment through the wastewater plant. Heaters used to burn off volatile organics were only being heated by one burner. According t[redacted] his was not enough to maintain a temperature which would burn off the benzene and other volatiles. At least two if not three burners should be used [redacted] advised that this was also at the direction o[redacted]
- Als[redacted] had included in his letters to the company information concerning material, which he believed to be contaminated tank bottoms, had been in a roll off box which then at the direction o[redacted] was buried on the facility grounds [redacted] mentioned after the investigations revealed the incident the material was excavated and disposed of properly [redacted] advised that [redacted] has first hand knowledge of this. He believes tha[redacted] operated the machinery to bury the material.

JORDAN LABS reported to [redacted] that samples were out of specification. [redacted] told the lab to hold off and they would send over the retained samples. There were no retained sample[redacted] had an employee take new samples, label them with the original date and take them to the lab [redacted] may have known about the samples being retaken.

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[redacted] advised that "Grab Samples" are taken at AHC outfall, they are put in bottles, a pH test is done on the samples then preserved and refrigerated then taken to JORDAN LAB where they performed test on each sample. JORDAN LABS is no longer being used, the sample analysis is now being done by ACCUTEST out of Houston.

[redacted] in charge of Corporate Audit and [redacted] Gulf Coast Terminals, came to Corpus Christi with assistants.

[redacted]

[redacted] advised that the Chain of Custody forms are in the gauger's office and in [redacted] office.

[redacted] would change figures on things when it could make him look bad.

[redacted] to tell [redacted] to write and sign a HW permit to work in an unsafe area. The job was to cut into a raffinate pipeline, but the explosimeter was reading 90% of the explosive limit down inside the excavation where the pipeline [redacted] was pressured to sign the permit and eventually did. This was a very unsafe situation [redacted] was very upset at himself for letting this happen.

[redacted] advised that AHC is a good place to work now.

[redacted]

TNRCC Special Investigations Unit

4/22/99
Date:

REPORT OF INTERVIEW
OF
[redacted]
ON
APRIL 7, 1999

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On April 7, 1999 at approximately 1:50 p.m [redacted] was interviewed [redacted] at JORDAN LABORATORIES located at 842 Cantwell Lane, Corpus Christi, Texas. Also interviewed while at the JORDAN LAB facility was [redacted] another JORDAN employee [redacted] and [redacted] were interviewed by [redacted] an investigator with the Texas Parks and Wildlife Environmental Special Investigations Unit, and [redacted] an investigator for the Texas Natural Resource Conservation Commission, Special Investigations Unit.

AMERADA HESS CORPORATION provided JORDAN LABORATORIES an authorization letter to release any information or documents which Task Force investigators request.

[redacted] was advised as to the nature of the interview, any knowledge he may have regarding particular samples which were brought to JORDAN LABS by the AMERADA HESS CORPORATION, (AHC) Corpus Christi Terminal facility. According to a JORDAN LAB analyst there were indications of higher than normal Total Organic Carbon (TOC) levels and as a result of a courtesy call to AHC by JORDAN LAB, AHC halted the completion of the analysis till more samples could be sent over to the lab.

Personal Information:

DOB:
SSN: [redacted]

[redacted] s currently [redacted] lab at JORDAN LABORATORIES INC.

AHC had requested that i [redacted] ever saw anything out of the ordinary to contact them.

During the last week in December, 1998, water samples were received from AHC. The preliminary analysis showed the samples had much higher than normal TOC levels for AHC water samples. JORDAN LAB contacted AHC. AHC called back and gave instructions to hold off on analysis and AHC would resubmit different samples from the same days. AHC told someone at JORDAN they had a new guy sampling and he probably sampled at the wrong place. [redacted]

concerning the high TOC levels.

[redacted] advised that she remembers receiving the "resamples" from AHC and says she did log the sample in but also labeled them as resamples. b6 b7C

[redacted] was given a request by investigators to provide copies of all analytical data on the samples submitted as replacement samples referred to by JORDAN LAB as "resamples". Also any copies of Chain of Custody forms related to any of the samples, any entries in the "run logs" kept by [redacted] pertaining to the samples in question, and any tracking information pertaining to the same samples.

[redacted]

3TNRCC Special Investigations Unit

4/20/95
Date:

~~CONFIDENTIAL~~

Texas Parks & Wildlife Department
Criminal Environmental Investigations
REPORT OF INTERVIEW

Case Name: AHC
Case ID:
Person Interviewed:
Agent(s)/Officer(s)
Interview Date/Time: 4/6/99
Location:

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Report Made By
Date: 4/8/99
Reviewed By:
Date:

Narrative: On April 6, 1999, at approximately 2:30 P.M. was interviewed at The interview was conducted by Texas Parks and Wildlife Department Environmental Crimes Investigator and of the Texas Natural Resource Conservation Commission Special Investigations Unit.

is a and SSN started working at Amorada Hess Corpus Christi Terminal in as with Weaver Company, and then R&R Contractors. He became a Hess payroll employee in when he was promoted to His immediate supervisor was who reported to works a rotating shift at the terminal. His duties include running all terminal functions, wastewater plant, all loading of ships and barges, and overseeing work permits works a rotating shift, regularly covering wastewater plant duties on evenings and graveyard during the week, and around the clock on weekends, which are vacant shifts left by the primary wastewater operators and

dvised that he was told b Hess Corporate investigator, that State investigators would most likely be contacting him in regards to events that had taken place at the plant. stated that he knew the investigation revolved around the roll-off box of contaminated sludge from Tank 144 and its disposal on plant property, the high TOC samples submitted to Jordan Labs, and the pumping of wastewater from the sump onto a field, via a fire hose.

was asked to describe the events in which he participated and or was witness too. stated that when the bottom sludge from tank 144 was collected in a roll off box. He was not sure who removed and buried the sludge, but he believed the AHC front loader at the site was used the sludge was buried next to the old cooling tower. stated the sludge consisted of light oil, rust and coal, and it was shovelable.

In regards to the discharge of wastewater from the monitoring wells at the plant took samples at the guillotine adjacent to the weir. For several days noticed a black growth in the sump at the weir stated that it was not present anywhere else. He notified and about substance in mid-December. Each time he took samples, the black substance was not visible, but TOC's would come back high had hook up a hose to the wastewater discharge and run it out into a field downstream of the weir in an attempt to clear up the black substance in the weir added, water from the hose would recycle back to the wastewater plant filtering the black substance in the soil.

Signature:

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[redacted] stated that they would take grab samples once a day if the unit was running. Operators would run a "full set" on Mondays, and every sample there after would be a partial. [redacted] added that operators would also take a full sample if it was raining. The full set would test for pH, oil, gas, TOC's, BTex and TPH and temperature. There procedure for sampling would include taking the sample in a larger size cork top container, and transfer samples by pouring into six smaller bottles, which were refrigerated until they could be taken to Jordan Laboratories for testing. Most often, sample results would go to [redacted]

[redacted] had no first hand knowledge of the samples which were submitted to Jordan Labs [redacted] stated they did not take secondary or backup samples. But he had heard that the first samples taken came back high TOC's, and a second set of samples were sent to replace them [redacted] stated that he had know knowledge of this at that time, and found out about it later.

[redacted] said the terminal never had any problems when [redacted] The problems started when [redacted] was promoted to take his place. [redacted] stated, [redacted] was not concerned with environmental impact, he was verbally abusive, and nobody liked him."

[redacted] stated that he was sorry to see [redacted] go. According to [redacted] never did anything without being told to do so by [redacted] Within 48 hours of AHC investigators coming to the plant, both [redacted] were suspended with pay. Shortly there after, [redacted] was allowed to resign and [redacted] was terminated for a variety of reasons according [redacted] stated that [redacted] also heard [redacted] purchased auto parts for his personal car on company vouchers. [redacted] stated AHC had no bonus structure for gaugers, operators or managers.

[redacted] stated he knew who blew the whistle and he was glad. The name of [redacted] was given as the employee who called AHC in New Jersey. [redacted] worked with [redacted] years, and [redacted] had at least [redacted] years with AHC.

According to [redacted] AHC has brought in [redacted] to take over as [redacted] added, "Things appear to be much better now."

[redacted]

CONFIDENTIAL

Texas Parks & Wildlife Department
Criminal Environmental Investigations
REPORT OF INTERVIEW

Case Name: Amerada Hess
Case ID:
Person Interviewed
Agent(s)/Officer(s)
Interview Date/Time: 5/11/99 7:35 PM
Location

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Report Made By
Date: 5/13/99
Reviewed By:
Date:

Narrative: On May 11, 1999 at approximately 7:35 PM, criminal investigator for Texas Natural Resource Conservation Commission, and criminal investigator for Texas Parks and Wildlife, conducted an interview of at

has a DOB: SSN: and TDL: has been at Amerada Hess Corporation (AHC) in Corpus Christi for years, beginning in

reported directly to and who's offices were next to each other stated that there are four enclosed offices with sliding windows between them in the terminal office building. The offices are in a row, with the number one office belonging to number two office belonging to number three was empty and number four

was aware that AHC personnel had been notified about problems at the terminal and knew several days before investigators arrived had seen the complaint letter written by stated had no idea that was personally benefiting from the company by ordering equipment on AHC invoices, even though all invoices were typed by

said that kept the door to his office closed and window shut for the last six months, appeared paranoid for some reason. His phone conversations were private, and he used the intercom less were only in the office a few hours a day during the month of January 1999 according to

stated that was going through a learning process in his new position as According to took orders from and did nothing without his knowledge or his approval.

Signature

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[redacted] first became aware of possible environmental problems at the plant in early December, when [redacted] was in the gaugers office looking through the window into the field [redacted] saw the grass was much higher than usual in the field, and asked why it had not been cut. A gauger in the office said that the field was too we[redacted] could not remember any recent rains that would contribute to a wet field [redacted] asked the gauger (unknown) why it was wet, and the gauger replied, "It's tank wash."

[redacted] stated, "There was no way that [redacted] could not have known about the hose in the field because he spends so much time in the yard, and he was good about keeping the yard clean, and he would have never let the grass get that high without good reason."

[redacted] was asked about the tank bottoms that were buried on terminal grounds [redacted] was not sure of the exact dates, but [redacted] recalled processing paperwork that showed that Tank 144 was put out of service for a defective drain, seal repair, and pitted floors [redacted] stated that it was [redacted] understanding that the tank was contaminated with coal which had settled at the bottom in the form of sludge [redacted] was aware of all problems with the Tank 144 because he was busy contacting [redacted] with AHC in Houston in regards to repairs on the tank.
In regards to the wastewater treatment and samples [redacted] stated that [redacted] looked at all the lab reports, signed them [redacted] was unfamiliar with events surrounding re-samples submitted to the lab [redacted] spent very little time in the gaugers office which is where samples are kept and or refrigerated.

[redacted] was told by visiting vendors that he [redacted] was breaking the law in certain instances at the terminal. [redacted] could not elaborate on the vendor that told her there were violations at the terminal.

[redacted] believes that [redacted] fell into the trap" of participating in dishonest practices around the terminal so he could not blow the whistle or [redacted]

When AHC investigators arrived [redacted] was noticeably shaken, and said he was going to be fired. [redacted] was told by [redacted] that [redacted] commented, "Every man for himself."

Investigators [redacted] concluded their interview of [redacted] at approximately 8:45 PM.

Signature [redacted]

Search Results

For internal TNRCC use only
Data extracted from the Enforcement Database 1.99 days ago
Return to Enforcement Database Search Page

New Search

Pending cases	Search	Clear
Company Name		
Enf. ID Number		
Enf. Coordinator		
TNRCC Region	--	
Media Type	--	

Search Terms

Category Searched	Searching For...
County	NUECES
Company Name	Amerada Hess
TNRCC Region	14
Database	Case actions database (All cases: pending and closed)

Facility Name: AMERADA HESS CORP. Company Name:
ENF ID: 1623 Case Seq: 2 TNRCC ID: SIC Code: Type of Entity:
Media Type: MM29 (MM: IHW+WQ) Enforcement Coordinator: Attorney
Priority: 3 County: NUECES TNRCC Region: 14 (Corpus Christi)

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ESC Date	ESC Action	Action Code	Enforcement Desc	Action Date	Date Type	Prop Penalty
4/6/99	A47					
				4/7/99	DUE	
		A07	enforcement case referral rec'd-enf	3/24/99		
		A47	case referred to litigation	4/6/99		
		A39	penalty quality control review	4/6/99		
		A73	penalty ws & trs to litigation	4/7/99		

Facility Name: AMERADA HESS CORP. Company Name:
ENF ID: 1623 Case Seq: 1 TNRCC ID: 39033 SIC Code: Type of Entity:
Media Type: M03 (Industrial and Hazardous Waste) Enforcement Coordinator: Attorney
Priority: S County: NUECES TNRCC Region: 14 (Corpus Christi)

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ESC Date	ESC Action	Action Code	Enforcement Desc	Action Date	Date Type	Prop Penalty
4/15/93	A48					
		A30	central office nov	4/26/93		
		A31	deficiency letter for nov response	7/22/94		
				10/20/94	DUE	
		A48	initial edr/petition mailed	12/9/94		$542800
		A38	facts meeting held	3/3/95		
		A44	settlement conference held	2/27/98		
		A4D	revised dao	5/19/98		$264000
		A44	settlement conference held	6/9/98		
		A44	settlement conference held	8/21/98		

Facility Name: AMERADA HESS CORPORATION Company Name:
ENF ID: 11058 Case Seq: 1 TNRCC ID: NE0232S SIC Code: 1795 Type of Entity:
Media Type: M02 (Air) Enforcement Coordinator: Attorney:
Priority: County: NUECES TNRCC Region: 14 (Corpus Christi)

ESC Date	ESC Action	Action Code	Enforcement Desc	Action Date	Date Type	Prop Penalty
		A60	order effective date	11/13/87		

Get adopted order info

3 case(s) in this database matched your query. Return to top of page

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/27/1999

[redacted] Attorney, VINSON & ELKINS L.L.P., 2300 First City Tower, 1001 Fannin Street, Houston, Texas 77002-6760, telephone number (713) 758-2222 caused to be delivered to the Corpus Christi Office of the FEDERAL BUREAU OF INVESTIGATION (FBI) a box containing copies of materials/documents previously sent to the TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) and the ENVIRONMENTAL PROTECTION AGENCY (EPA) with respect to environmental violations at the AMERADA HESS CORPORATION (AHC) Corpus Christi Terminal. The documents were accompanied by a letter from AMANDES, a copy of which is attached hereto. The box was delivered via UNITED PARCEL SERVICE (tracking # 1Z 754 700 03 4121 9055).

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rec'd attorney 6/21/05

Investigation on 5/27/1999 at Corpus Christi, Texas

File # 249A-HO-53027 -6 Date dictated 5/26/1999

by / SA [redacted]

147MPA 01

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Vinson & Elkins

ATTORNEYS AT LAW

VINSON & ELKINS L.L.P.
2300 FIRST CITY TOWER
1001 FANNIN STREET
HOUSTON, TEXAS 77002-6760
TELEPHONE (713) 758-2222
FAX (713) 758-2346

Writer's Phone: 713-758-1146
Writer's Fax: 615-5785

E-mail: camandes@velaw.com
Web: www.velaw.com

May 24, 1999

[redacted] b6 b7C

Special Agent
Federal Bureau of Investigation
800 North Shoreline
North Tower, Suite 1100
Corpus Christi, TX 78401

Re: Amerada Hess Corpus Christi Terminal Materials

Dea[redacted]

Per your request at our meeting on May 18, enclosed are copies of all of the materials of which I am aware that previously have been sent to the TNRCC and EPA with respect to the environmental violations at the Corpus Christi terminal.

In our meeting, you also posed two questions. First, you inquired whethe[redacted] [redacted] in a written communication and, if so, whether the reasons for th[redacted] included in the letter. You also asked whethe[redacted] and the company entered into any agreements or understandings with respect t[redacted] from the company. Hess informs me tha[redacted] was not [redacted] and with respect t[redacted] there were no written or oral agreements concerning his employment record or any other conditions of his [redacted]

Please call me if you have any questions or would like additional information.

Yours very truly,

Chris Amandes

Christopher B. Amandes

Enclosures

cc: [redacted]
Texas Natural Resource Conservation Commission
w/o enclosures

(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/20/1999

To: Houston

From: Houston
CCRA
Contact: SA [redacted] b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-HO-53027 (Pending)

Title: AMERADA HESS CORPORATION;
[redacted]
CORPUS CHRISTI STORAGE TANK TERMINAL;
ENVIRONMENTAL CRIMES -
CLEAN WATER ACT (CWA);
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

Synopsis: To document meetings with Prosecutors and representatives of captioned corporation.

Details: On Monday, 5/18/1999, a meeting was held at the Corpus Christi Office of the Federal Bureau of Investigation, attended by:

1. [redacted] AUSA, SDT, 910 Travis, Suite 1500, Houston, Texas 77208, telephone number [redacted]

2. [redacted] Assistant Regional Counsel, Criminal Enforcement, U.S. EPA, 440 Louisiana, Suite 1150, Houston, Texas 77002-1635, telephone number [redacted]

3. [redacted] Criminal Investigator, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744-3292, telephone number [redacted]

4. [redacted] Investigator, Special Investigations Division, Region 14, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), 6300 Ocean Drive, NRC Bldg. Suite 1200, Corpus Christi, Texas 78412, telephone number [redacted]

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5. Special Agent, Criminal Investigations Division, Region 6, EPA, 1445 Ross Avenue, Dallas, Texas 75202, telephone number

6. Special Agent, FBI, Corpus Christi, Texas, 78401, telephone number (361) 883-8671.

During the meeting, copies of Reports of Interviews conducted to date and other documents gathered to date were provided to all of those present. After a review of these documents and discussion held with investigators, AUSA and Attorney were of the opinion that the following federal statutes might be applicable to this investigation: Title 33 USC Section 1319 (c)(2) - Clean Water Act; Title 18 USC Section 1001 (False Statement); Title 18 USC Section 1341 (Mail Fraud); Title 18 USC Section 371 (Conspiracy); and Title 18 USC Section 2 (Aiding and Abetting).

On 5/18/1990, the above named individuals excluding SA met with the following representatives of Amerada Hess Corporation (AHC):

1. Corporate Environmental Affairs, AHC, One Hess Plaza, Woodbridge, New Jersey 07095, telephone number

2. AHC, One Allen Center, 500 Dallas Street, Houston, Texas 77002, telephone number

3. Attorney, Vinson & Elkins, L.L.P., 2300 First City Tower, 1001 Fannin, Houston, Texas 77002-6760, telephone number

During the course of the meeting was the primary spokesman for AHC. He explained that the Corpus Christi Terminal was one of three terminals operated as a group and under the supervision of an environmental manager named with offices in Houston, Texas. Besides the Corpus Christi Terminal, the two other terminals are located in Houston and Marrero, Louisiana.

advised that a "Hot Line" Program has existed for approximately five or more years and that it was manned by an internal audit group. He stated that calls received through the "Hot Line" are responded to immediately.

advised tha the at the Corpus Christi Terminal (CCT) but he did not recalled if a had been

issued. The [redacted] in-command at the CCT was [redacted] the [redacted] was given the opportunity [redacted] and he did. b6 b7C

According to [redacted] AHC has strict set of controls for all waste generation and SOP's are in place for handling environmental anomalies.

[redacted] advised that wastewater samples taken from the CCT are presently being analyzed by Analysis Inc. (AI). CCT had previously utilized the services of Jordan Laboratories in Corpus Christi for several years.

♦♦

249A-HO-53027
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The following investigation was conducted by SA [redacted] b6 b7C

On 7/1/1999, [redacted] AMERADA HESS CORPORATION (AHC), Galena Park, Texas 77547, telephone number [redacted] telephonically advised that [redacted] the [redacted] for Terminal Operations in New Jersey is [redacted] AHC. [redacted] stated he did not have a forwarding address for [redacted] but suggested that Writer contact [redacted] at AHC's Woodbridge New Jersey Office. [redacted] phone number is [redacted] added that [redacted] secretary (not further identified) had given notice of termination two or three weeks ago and that yesterday (06/30/1999) had been her last day.

Concerning the preparation and submittal of Monthly Effluent Reports (MER) to the TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) regarding the AHC Corpus Christi Terminal (CCT), particularly when [redacted] related the following:

The Corpus Christi Terminal Superintendent would send the MER data via the U.S. POSTAL SERVICE to [redacted] secretary, [redacted] who would prepare the report and a cover letter. The report would then be forwarded via DHL (interoffice mail) to [redacted] for his review and signature. The report would than be returned to [redacted] via DHL. Upon receipt, [redacted] would forward the report to the TNRCC via the U.S. POSTAL SERVICE.

[redacted] stated that [redacted] is currently on vacation and is expected to return on or about 07/15/1999. [redacted] had no objection in writer contacting [redacted] to confirm the procedure followed in submitting MER's to the TNRCC. [redacted] stated, [redacted] can be contacted at phone number [redacted]

249A-HO-53027 -8

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/13/1999

[redacted] Investigator, Special Investigations, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), 6300 Ocean Drive, NRC Building, Suite 1200, Corpus Christi, Texas, telephone number [redacted] provided an original two page Report of Interview (ROI) (attached hereto) reflecting results of an interview with [redacted] on 07/09/1999. Copies of documents provided by [redacted] will be maintained in the care and custody of the FEDERAL BUREAU OF INVESTIGATION (FBI).

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Investigation on 7/9/1999 at Corpus Christi, Texas

File # 249A-HO-53027 Date dictated 7/13/1999

by SA [redacted]

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194-PA-01

REPORT OF INTERVIEW

WITH

[redacted]

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ON

JULY 9, 1999

On Friday, July 9, 1999, at 11:40 A.M. [redacted] for AMERADA HESS CORPORATION (AHC) was met by FBI Special Agen[redacted] [redacted] an investigator of the Texas Natural Resource Conservation Commission (TNRCC) at the AHC Corpus Christi Terminal facility located on Poth Lane in Corpus Christi. Also present was [redacted] for AHC at the Corpus Christi facility.

The reason for the meeting was for [redacted] to take possesion of copies of documents from [redacted] which pertain to the burying of tank bottom waste by AHC personnel. The documents provided by [redacted] included:

- Two sets of sample analysis from two five part composite samples which were taken on February 1, 1999 from material which was generated from the cleaning of tank bottoms from AHC tank number 144. One analysis is from CORE LABORATORIES in Corpus Christi, Texas and the other analysis is from ANALYSYS INC. LABORATORIES located in Austin, Texas [redacted] explained that the five part composite samples were taken by a contracted company, GERAGHTY AND MILLER INC., Environmental Services. [redacted] believes the composite samples were made up of sample parts from the buried material which had been excavated as well as tank bottom sludge which was in a roll off box and had not been buried but [redacted] said he wasn't sure of the origin of the composite samples and would get the information for investigators. ANALYSIS INC. sample analysis shows the material sampled to be at a level of benzene concentration which would make the material a hazardous waste.

- Also received were copies of the chain of custody forms which were filled out by GERAGHTY AND MILLER INC. personnel and show delivery of the material to the ANALYSYS INC., laboratory.

- Three Uniform Hazardous Waste Manifest numbered 01868797, 01868798, and 01868799. These manifests are the paperwork for the transportation of the waste material, classified as hazardous waste by AHC, which was described as tank bottoms. Part of this material was the material which was buried by AHC personnel then excavated later and put in rolloff boxes for storage and transport. The manifest show AHC Corpus Christi Terminal as the generator and SAFETY- KLEEN in Deer

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Park, Texas as the disposal site [redacted] advised that he knew that roll off box number M-98 was the box which held the tank bottoms which were never buried.. [redacted] advised tha[redacted] made the arrangements for the transportation and disposal of the waste [redacted] works out of Woodbridge, New Jersey.

[redacted] lso provided a diagram of the AHC Corpus Christi Terminal facility dated March, 1999. The diagram shows areas in green that AHC is planning to conduct environmental investigations to identify any environmental impact. The document also shows photographs of each area of interest plus has text which describes the proposed method AHC wants to use to investigate each area.

[redacted] advised he had information in regards to the initial phone call from a AHC Corpus Christi Terminal employee to the AHC corporate offices which started the investigation by the AHC corporate offices. [redacted] advised that employe[redacted] had contacte[redacted] of Auditing, by way of a letter which [redacted] had sent concerning problems at the terminal. When [redacted] called [redacted] the call was a follow up to see if the letter had been received an[redacted] wanted to discuss items he had mentioned in his letter t[redacted] advised that no recording of the phone call or transcription of the call existed [redacted] advised he would check to see if any phone notes or record of the call existed. A copy of the letter sent by [redacted] o AHC corporate was requested by investigators [redacted] advised he would try to get copies of these documents and provide them to investigators.

[redacted] and [redacted] nade available for review the AHC Corpus Christi Terminal wastewater files as per a request by TNRCC Investigato[redacted] to be reviewed at a future date. [redacted] dvised after reviewing the files himself that he was unable to locate any Discharge Monitoring Reports (DMRs) of any kind which shows any monthly wastewater reporting to the Environmental Protection Agency (EPA).

[redacted] hen took [redacted] and [redacted] but into the AHC Terminal facility to observe the concrete impoundment where waste was buried., also observed was the field where the AHC wastewater stream discharge was diverted to, and the weir where the AHC final wastewater outfall is located and the compliance samples are taken by AHC personnel.

[redacted]
TNRCC Special Investigations Unit

7/12/99
Date:

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/20/1999

[redacted] Special Agent, U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), Region 6, Criminal Investigation Division (CID), 1445 Ross Avenue, Dallas, Texas 75202, telephone number [redacted] made available a copy (attached hereto) of a three page Investigative Activity Report (IAR) dated 07/07/1999 reflecting the results of investigation contducted by him regarding AMERADA HESS CORPORATION.

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Investigation on 7/19/1999 at Corpus Christi, Texas

File # 249A-HO-53027 -10 Date dictated 7/20/1999

by SA [redacted]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 08/20/1999

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[redacted] Investigator, Special Investigations Division, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), Corpus Christi, Texas, telephone number [redacted] made available documents received by him from AMERADA HESS CORPORATION (AHC). [redacted] further provided a report prepared by him reflecting receipt of these documents. The original report is attached hereto.

The AHC documents will be maintained in the care and custody of the FEDERAL BUREAU OF INVESTIGATION (FBI).

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Investigation on 8/20/1999 at Corpus Christi, Texas

File # 249A-HO-53027 Date dictated 8/20/1999

by SA [redacted]

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232 MPA 01

REPORT OF RECEIPT
OF
EVIDENTIARY DOCUMENTS

On August 9, 1999 [redacted] an Investigator for the Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit received a first-class mail package. The package was from [redacted] of Corporate Environmental Affair with AMERADA HESS CORPORATION (AHC). The documents received were accompanied by a cover letter dated August 4, 1999, from [redacted] A copy of this letter which is attached hereto, describes the documents received.

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The documents received will be maintained in the care and custody of the FBI.

[redacted]

TNRCC Special Investigations Unit

8/20/99

Date:

AMERADA HESS CORPORATION
One Hess Plaza
Woodbridge, New Jersey 07095

ORIGINAL

ROBERT T. EHRLICH
Vice President
Corporate Environmental Affairs
(732) 750-7009
FAX: (732) 750-6105

August 4, 1999

[redacted]

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b7C

Investigator - Special Investigations
Litigation Support Division
Texas Natural Resource Conservation Commission
MC-R14
6300 Ocean Drive, NRC Building, Suite 1200
Corpus Christi, TX 78412

Re: **Corpus Christi Terminal**
TNRCC Investigation

Dear [redacted]

As requested, I am sending you a copy of the information related to the testing of the Testing and Handling of Tank 144 Bottom Sludge. Also attached is a copy of the complaint letter and [redacted] account of the chronology of events during the initiation of the Company's investigation.

Please call me if you have any questions.

Very truly yours,

Robert T. Ehrlich

RTE:mak

Attachments

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249A-HO-53027
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The following investigation was conducted by SA [redacted] b6 b7C

On 08/12/99, AUSAs [redacted] phone number [redacted] and [redacted] phone number [redacted] SOUTHERN DISTRICT OF TEXAS, left a voice mail message indicating that they would be meeting next week with [redacted] attorney representing [redacted] attorney representing [redacted]

On 08/27/99, AUSA [redacted] left a voice mail message indicating he had met with AMERADA HESS representatives and would provide results on 08/30/99.

On 8/30/99 attempts to contact AUSA [redacted] met with negative results. Same date, AUSA [redacted] stated that [redacted] was the lead prosecutor in this case and investigative effort should be coordinated with him [redacted]

On 9/1/99 attempts to contact AUSA [redacted] met with negative results.

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FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/02/1999

[redacted] Environmental Special Investigations, TEXAS PARKS & WILDLIFE DEPARTMENT (TPWD), 4200 Smith School Road, Austin, Texas 78744-3291, cellular phone number [redacted] pager number [redacted] made available the original Report of Interview (ROI) (attached hereto) reflecting results of an interview with TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) employee [redacted] on 07/6/99.

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The ROI further reflects the receipt of 1) TNRCC Compliance and Enforcement File for HESS Permit #2070 (copies only); 2) TNRCC Permit File IWD 02070 from PA 1/93 through 7/94, (original file); and 3) TNRCC Permit file IWD 02070 from PA 8/94 to present (original file).

The above described files were provided to SA [redacted] FEDERAL BUREAU OF INVESTIGATION (FBI) and will be maintained in the care and custody of the FBI.

Investigation on 9/2/99 at Corpus Christi, Texas

File # 249A-HO-53027 Date dictated 9/1/99

by SA [redacted]

245mb905

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Texas Parks & Wildlife Department
Criminal Environmental Investigations
REPORT OF INTERVIEW

Case Name: AMERADA HESS
Person Interviewed:
Interview Date/Time: 7/9/99 2:15 P.M.

Case ID:
Agent(s)/Officer(s):
Location: TNRCC Main Offices

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Report Made By:
Date: 7/12/99
Reviewed By:
Date:

Narrative: On July 9, 1999, at approximately 2:15 P.M. of Texas Parks and Wildlife Department Environmental Crimes Unit, and of Texas Natural Resources Conservation Commission Criminal Investigations, interviewed TNRCC employee

is described as has a DOB o and a TDL has been employed with TNRCC as in the Water Enforcement Division since

job is to receive Monthly Effluent Reports (MER's) and Discharge Monitoring Reports (DMR's) as required to be sent by both the State and Federal regulations stated that most all reports come via U.S. Postal Service, with a small number received by Federal Express. She added, typically, mail arrives at the TNRCC Post Office Box 13087 Austin, Texas 78711. It is picked up and date stamped by the mailroom employees. It is then routed to her via inter-office delivery, where she will date stamp it upon receiving it stated that they generally dispose of the actual envelope once the contents are filed. stated that she documents date and time she receives each report from the permit holder added that she typically scans each report to verify it has all required data, and that no problems are present.

was asked if she recalled receiving MER's and DMR's from Amerada Hess Corpus Christi. replied that recognized the company name, however, she receives hundreds of reports each month was able to show that she receives and runs a tape on Hess for MER's, however, she could not locate any files containing DMR's.

explained that DMR's are required by the U.S.E.P.A., however, she believed that this facility fell under minor discharge perameters , meaning that they did not have the DMR's on file in her office. stated that U.S.E.P.A. divided treatment plants into two categories; those generating less than 1 Million GPD (Minor) and over 1 Million GPD (Major).

suggested pulling the compliance file from TNRCC Central Records in an attempt to locate Hess DMR's added that sometimes the minor permitees often get overlooked by U.S.E.P.A. by virtue of their workload and efforts to monitor the major permit holders.

Investigator's reviewed files at Central Records and deemed them relevant to the Hess criminal investigation. Records requested were as follows:

Signatu

~~CONFIDENTIAL~~

Item I. TNRCC Compliance and Enforcement File for Hess Permit #2070
Zerox copies only. Obtained from TNRCC Central Records [redacted]
by [redacted] TPWD: 7/9/99 4:00 PM
Delivered to [redacted] Date: 9/1/99

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Item II. TNRCC Permit File IWD 02070 from PA 1/93 through 7/94
Original file. Obtained from TNRCC Central Records [redacted]
by [redacted] TPWD: 7/9/99 4:00 PM
Delivered to [redacted] Date: 9/1/99

Item III. TNRCC Permit file IWD 02070 from PA 8/94 to Current
Original file. Obtained from TNRCC Central Records [redacted]
by [redacted] TPWD: 7/9/99 4:00 PM
Delivered to [redacted] Date: 9/1/99

Signatu [redacted]

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 09/02/1999

[redacted] Environmental Special Investigations, TEXAS PARKS & WILDLIFE DEPARTMENT (TPWD), 4200 Smith School Road, Austin, Texas 78744-3291, cellular phone number [redacted] pager number [redacted] made available the original Report of Interview (ROI) (attached hereto) reflecting results of an interview with [redacted] on 07/13/99.

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Investigation on 9/2/99 at Corpus Christi, Texas

File # 249A-HO-53027 - 14 Date dictated 9/1/99

by SA [redacted]

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Texas Parks & Wildlife Department
Criminal Environmental Investigations
REPORT OF INTERVIEW

Case Name: AMERADA HESS
Person Interviewed:
Interview Date/Time: 7/13/99 11:05 A.M.

Case ID:
Agent(s)/Officer(s):
Location: Hess Terminal Corpus Christi

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Report Made By:
Date: 7/17/99
Reviewed By:
Date:

Narrative: On July 13, 1999, at approximately 11:05 A.M. of TNRCC-CID and of Texas Parks and Wildlife Department Environmental Crimes Unit, interviewed Amerada Hess

complexion was born in and is has a DOB of a TDL and a SSN currently resides at lists a phone number of and has been working at the Hess terminal as was aware of our investigation.

was asked to detail the events involving the burying of tank bottoms on Hess property. stated he was responsible for burying the tank bottom sludge from T-144 in the yard. stated he was told by to clean out tank T-144 and put the sludge in two roll-off boxes recalls this event taking place shortly after Thanksgiving. He added that the date could be confirmed by pulling the work permits on file.

recalls two (2) roll-off boxes from T-144 hauled to the maintenance shop. He stated that the roll-offs contained only T-144 sludge, and did not know if it was sampled. Shortly after allegedly told who in turn told to dig a hole in the cement pit at the rear of the plant, empty the boxes and cover it up stated that told him in person to bury the sludge. responded by telling it was wrong.

claims that he was told by that said to fire him if he did not do it. stated he was the only person at the plant that could operate a backhoe remembers trucks dragging both roll-off boxes to the cement pit disposed of only one of the roll-off boxes in the pit at the direction of According to the waste was buried in an area near the cooling tower.

was asked if he mixed dirt with the buried material replied, "Whatever dirt came from the pit was used to cover it up. completed this job on his own, and reported to when the task was completed. stated this problem was never discussed again.

recalls that the sludge had a strong smell and fumes. recalls the sludge having the "appearance of wet rust, black with coal, and sludgy but not runny."

Signatur

~~CONFIDENTIAL~~

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[redacted] was asked if he knew of any other incidents in which [redacted] or [redacted] directed him to bury waste or sludge [redacted] responded by stating that Sump Pit #3 was full of vacuum truck sludge, black oil, rust, and heavy waste, and was similar in consistency to asphalt [redacted] could not remember the date, but clearly remembered [redacted] instructing him to mix kaliche gravel with the sludge, and put it on the ramps and firewalls at the plant to strengthen the walls. [redacted] recalls being told to do this at least two times [redacted] believes the sludges originated from T-141, T-114, and T-116. [redacted] used an R&R CONTRACTING vacuum truck to mix the sludge and gravel prior to spreading it.

[redacted] could not remember the names of the persons that helped him on this project because they were temporary laborers. He recalled the backhoe was leased from Anderson Machinery in Corpus Christi.

[redacted] ended by stating that everything he did was because he was told by [redacted] "Do the job or get fired."

Interview concluded by [redacted]

Signatu [redacted]

249A-HO-53027
MPA:mpa

The following investigation was conducted by SA [redacted] b6 b7C

On 12/09/1999, Writer caused a review of the computerized records of the TEXAS DEPARTMENT OF PUBLIC SAFETY Drivers License Division regarding [redacted] date of birth [redacted] and [redacted] date of birth [redacted] The results of this review are as follows:

Name:
Sex:
Race:
Dob:
Height:
Weight:
Hair:
Eyes:
Address:
DL #:

[redacted]

Name:
Sex:
Race:
Dob:
Height:
Weight:
Hair:
Eyes:
Address:
DL #:

[redacted]

343 mpa01

249A-HO-53027 35

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 249A-HO-53027

2500 East T.C. Jester Blvd.
Houston, TX 77008

December 27, 1999

Mervyn M. Mosbacker
U.S.Attorney
910 Travis, Suite 1500
Houston, Texas 77208

Attention: AUSA [redacted]

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b7C

Re [redacted]

Dear [redacted]

This letter will serve as confirmation of a conversation on 12/21/1999 between AUSA [redacted] and Special Agent [redacted] of our Office. During this conversation, AUSA [redacted] requested copies of interview reports and other documents reflecting the activities of [redacted] Amerada Hess [redacted] in Corpus Christi, Texas. Per his request the following documents are enclosed herein:

1. Report of Interview (ROI) prepared by [redacted] Investigator, Texas Natural Resource Conservation Commission, Corpus Christi, Texas, reflecting results of an interview of [redacted] on 04/06/1999.

2. ROI prepared by [redacted] reflecting results of an interview of [redacted] on 04/07/1999.

3. ROI prepared by [redacted] reflecting results of an interview of [redacted] on 04/06/1999.

4. FD-302 prepared by SA [redacted] reflecting results of an interview of [redacted] on 05/14/1999.

5. ROI prepared by [redacted] Criminal Investigator, Texas Parks and Wildlife Department, Austin, Texas, reflecting results of an interview of [redacted] on 05/11/1999.

6. Copy of a letter dated 03/02/1999 sent to [redacted] by [redacted] an attorney representing Amerada Hess, along with copies of enclosures described in the letter.

1 - Addressee
1 - Houston (249A-HO-53027)
MPA:mpa 1 COPY TO TNRCC
(2)

Document		
	D	12/27/99

361 MPA 01

249A-HO-53027-16

During the conversation, AUSA [redacted] advised that the US Attorney's Office contemplates filing an Information in January 2000, charging [redacted] with one count each in violation of the Clean Water Act, Title 33, United States Code, section 1319 (c)(4). b6 b7C

Hope the enclosed documents are of assistance. If you have any questions please do not hesitate to contact SA Alaniz at (361) 883-8671.

Sincerely,

Don K. Clark
Special Agent In Charge

By: [redacted]
Senior Supervisory Resident Agent

249A-HO-53027
MPA:mpa

1

The following investigation was conducted by SA [redacted] b6 b7C

On 01/03/2000, copies of driver's license photographs of [redacted] were received via the U.S. POSTAL SERVICE from the Special Crimes Service Unit, TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS), P.O.Box 4087, Austin, Texas 78773. The photographs will be maintained in the 1-A Section of this file.

249A-HO-53027-17

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/12/2000

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Investigator, Special Investigations Division, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), Corpus Christi, Texas, telephone number made available the following:

1. Original four page Report of Interview (ROI) prepared by reflecting results of an interview with on 05/04/1999.

2. Original two page ROI prepared by reflecting results of an interview with on 05/11/1999.

3. Original two page ROI prepared by Environmental Special Investigations, TEXAS PARKS & WILDLIFE DEPARTMENT (TPWD), 4200 Smith School Road, Austin, Texas 78744-3291, telephone number reflecting results of an interview with on 04/06/1999.

4. Original three page ROI prepared by reflecting results of an interview with on 04/06/1999.

5. Original three page ROI prepared by reflecting results of an interview with on 04/07/1999.

6. Original two page ROI prepared by reflecting results of an interview with on 05/11/1999.

7. Original Report of Facility Visit to the AMERADA HESS (AH) CORPUS CHRISTI STORAGE TERMINAL on July 13, 1999 prepared by further provided documents obtained from AH during this visit. These documents which are described in report will be maintained in the care and custody of the FEDERAL BUREAU OF INVESTIGATION (FBI).

8. Original Report of Receipt of Evidentiary Documents and Reports prepared by This report reflects receipt of three sets of files from the TNRCC Central Records relating to AH. The documents provided will be maintained in the care and custody of the FBI.

Investigation on 01/12/2000 at Corpus Christi, Texas

File # 249A-HO-53027 Date dictated 01/12/2000

by SA

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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249-A-110~53027~D

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The original reports described above are attached hereto.

REPORT OF INTERVIEW
OF

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On was interviewed at was interviewed by an investigator for the Texas Park and Wildlife (TP&W), Environmental Crimes Unit, and an investigator with the Texas Natural Resource Conservation Commission (TNRCC), Special Investigations Unit.

was advised as to the nature of the interview particularly concerning alleged activities which took place at the AMERADA HESS CORPORATION (AHC) CORPUS CHRISTI TERMINAL, located on Poth Lane, in Corpus Christi, Texas during the months of November, December, 1998 and January, 1999.

personal information:

DOB:
SSN:
TXDL:

Home Address:
Home Phone:
Work Phone:

Education:

Criminal Record:

Work History: Sinc working for R&R Contractors as a

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contract [redacted] at the AHC Terminal. [redacted] advised that his job consist of assisting AHC [redacted] with the transfer of materials between storage tanks and back and forth between the dock facility and the tanks. [redacted] tanks at the terminal. When the wastewater plant is discharging wate[redacted] also is involved in taking wastewater samples which were taken to JORDAN LABORATORIES for analysis.

[redacted] was asked about why the AHC Corporate people had come to the AHC Corpus Christi Terminal [redacted] advised that AHC corporate came because of activities tha[redacted] had been involved in. According to [redacted] had a very bad attitude and "didn't give a damn." [redacted] is gone now and [redacted]

According to [redacted] had sent letters out to AHC Corporate offices about problems in plant whic[redacted] was responsible fo[redacted] thought [redacted] was going to try and get him. [redacted] denied that he told anyone to do wrong things in plant [redacted]

[redacted] advised that it was believed that [redacted] from the termina[redacted] advised that he had [redacted] which was hauled offsite of the terminal. [redacted]

According t[redacted] was also having his personal vehicles worked on at the terminal by contract mechanics who worked for BEN'S FLEET SERVICE[redacted] also knew tha[redacted] was used contract electricians to do electrical wiring to his home and his antique business.

[redacted] also advised that [redacted] According to [redacted] According to [redacted] was never at the plant because he was always ou[redacted]

[redacted] believes that during the inquiry by the corporate people that an electrical contractor admitted to sending an invoice to the company for work done o[redacted] residence and business.

[redacted] also advised that another incident at the plant concerned black water flowing from the water plant (wastewater treatment plant) for a while back in November or December, 1998. [redacted] believes that the black color was due to an algae growth in the water. According to [redacted] the water stunk.

[redacted] advised that he believes problems with the water started when condensate storage tank 144 (a 380,000 barrel capacity tank.) was cleaned out by hydroblasting the tank. The sludge which was removed and piled up next to the tank then the water used to clean out the tank was

routed to receiver tanks 72, 73, and 74. These tanks hold terminal wastewater, mainly water from ground water recovery wells. The water is then routed through the water treatment plant. From the treatment plant the water is routed to a sump where a weir is located then the water flows through the weir into a concrete ditch and to the Corpus Christi Inner Harbor waterway. [redacted] dvised that the ditch was black because of an algae growth in the water but as soon as they put acid in the ditches the ditches and the water cleared up.

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[redacted] dvised one time he had taken wastewater samples from the weir area where they are normally taken. When he saw how bad the water looked because of how dark the water was he took the sample t[redacted] who after looking at the sample gave the order to dump the samples. Then because of the black material in the wate[redacted] gave the order to reroute the wastewater discharge directly from the wastewater treatment plant by way of a fire hose to a grassy area on the facility grounds. When they were needed more hoses were added to relocate the discharge to different grassy areas because the ground would be saturated by the discharge water. Run off from water coming from the hose would flow back into the ditches where it continued to flow off site. [redacted] then gave the order to take another sample, this time from the end of the fire hose, to replace the sample which he had ordered to be dumped. [redacted] was hoping the replacement sample would look better from the end of the hose.

[redacted] was asked as to what he knew about wastewater "resamples". [redacted] advised that he knew that when he had shown up for work one day there was a group of samples, which he had heard later, had been retaken because the lab, JORDON LABORATORIES, had called [redacted] and had told them the numbers for the analysis on the samples were too hig[redacted] dvised that as soon as he arrived at work that particular day [redacted] came and instructed him to take this particular group of samples to JORDON LABORATORIES.

[redacted] went on to say when the water samples are taken there is only one set of samples taken and that no reserve samples or second set of samples are taken and kept by AHC. Only one set of samples that are taken each time and then taken to the lab. [redacted] aid when he took these samples to the lab they were delivered to [redacted] t the receiving area [redacted] signed the chain of custody (COC) forms for each sample. [redacted] said it appeared that [redacted] another AHC employee, was the person who took the original samples but [redacted] went on to say he did not know who had taken these samples because the COCs for these samples were back dated and filled out as if taken some time before. [redacted] dvised that based on what he heard from other workers at the terminal he believes everything that [redacted] old him and others was a result of orders from [redacted]

Normally the wastewater samples are taken from a clear well just upstream of the weir [redacted] also advised that there is a log book in which the gaugers keep track of wastewater sample information: who took the samples, when it was taken etc..This book is kept in the gauger's office.

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[redacted] advised that tank 144 is used to store condensate. The tank was cleaned out due to a sludge build up. The sludge was mostly made up of a coal type material. The sludge was soaked with condensate, a large pile was placed on the ground next to tank 144. Tank 144 is a white tank which is used by EQUISTAR. [redacted] advised the white tanks are used to store condensate and the green tanks are used to store six oil, virgin gas oi,l and slurry.

[redacted] advised that he had heard that part of the sludge from tank 144 had been buried on site. After the AHC corporate people came in [redacted] advised that he had heard there were roll off boxes of material taken out of the concrete area where the sludge was buried. [redacted] advised that a backhoe is rented when needed for a job at the terminal. [redacted] believes that one was rented when moving the sludge from tank 144. [redacted] is the person who usually operates the back hoe.

[redacted] advised that [redacted] was a good guy. That he believes that [redacted] ended up [redacted] eard tha[redacted] may have gotten a job as pipefitter somewhere.

[redacted] also advised that [redacted] had someone vacuum oily material out of a sump in pot #3. The material was put in barrels, then the oil was dumped in the center of a pile of white rock then with a backhoe was used to mix the oil and the white gravel which made the rock a dark brown in color. Then the rock was spread out on the tank 113 firewall.

Also [redacted] dvised that the number one heater on the number 5 burner in the water processing plant shows false readings on the thermostat.

[redacted] advised there is a new policy at the water plant now. Now only the wastewater operators can start the processing of water through the water plant. Gaugers are no longer allowed to operate the controls on the water plant. Also samples can now be taken only by the wastewater operators at the terminal, the gaugers are no longer allowed to perform this duty. [redacted] are the wastewater operators. They work day shift only.

[redacted] advised that the company is up for sale, Williams Brothers, out of Oklahoma has put in a bid to purchase the AHC storage terminal in Corpus Christi.

[redacted]

TNRCC Special Investigations Unit

Date: 5/09/99

REPORT OF INTERVIEW
OF

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On May 11, 1999, a subsequent interview was done with personal and work information has been reported in a previous report of interview on which the interview occurred on This interview was conducted by an investigator for the Texas Parks and Wildlife TP&W, Environmental Crimes Section, and an investigator for the Texas Natural Resource Conservation Commission(TNRCC) Special Investigations Unit.

was interviewed again as a result of new information received from another witness which contradicts some of the information which had previously provided to investigators.

was warned of the consequences of giving investigators false or inaccurate information then provided the following information:

According to took the "Resamples" advised that took the samples as they normally do at the weir. saw a list which was given to them by The list had about ten dates on it but not all the dates were consecutive. According to back dated each sample he took to match a date which was on the list given to them, the made up a pH number and then forged the initials in the sample log book wrote initials in the sample log.

advised tha knew about the list of dates and in fact believes it was which gave the list to According to went int office and asked how he wanted the list and the associated paper work done was asking how wanted the chain of custody (COCs) tags filled out and how to handle a pH value for the samples. advised tha offices were next to each other with a window in between the offices which was usually open and believes that was involved in the instructions and the decision to pull the new samples with the old dates put on the labels..

advised that he filled out the COC forms as instructed by was instructed to pull the old or original COCs for the samples which were taken on the dates reflected on the list. Then he was to copy the information off the original COCs onto the COCs for the samples just taken but which had the old or original dates on them. remembers that most of the original samples were taken by

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5/20/99
Date:

TNRCC Special Investigations Unit

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REPORT OF FACILITY VISIT
TO
AMERADA HESS
CORPUS CHRISTI STORAGE TERMINAL

On Tuesday, July 13, 1999 [redacted] an Investigator for the Texas Park and Wildlife Environmental Crimes Unit, and [redacted] an Investigator for the Texas Natural Resource Conservation Commission (TNRCC), Special Investigations Unit, went to the AMERADA HESS CORPORATION (AHC) Corpus Christi Storage Terminal located on Poth Lane in Corpus Christi, Texas. The contact person at the facility was [redacted] of the AHC terminal facility. b6 b7C

The entrance and access to documents and personnel at the facility was a result of the consent being granted by facility management and AHC corporate personnel for the state investigators to review files and to interview facility personnel while on site.

[redacted] provided for review file folders which allegedly represented all of the AHC wastewater compliance files. These files were reviewed mainly to verify that no federal Discharge Monitoring Reports (DMR) exist in the AHC files. As a result of the file review and a search of files inside the AHC offices no DMRs were located. Items of interest observed by investigators and which copies were requested were as follows:

- A copy of the new Texas Pollution Discharge Elimination System (TPDES) permit. The cover letter was addressed t[redacted] of AHC from [redacted] the TNRCC Chief Clerk. AHC's TPDES permit, number 02070, went into effect on June 18, 1999.

- The original of a letter dated October 9, 1998, from the EPA Region 6 office in Dallas, to the permittee, AMERADA HESS CORPORATION, NPDES permit No. TX0072737 and TNRCC permit No. WQ0002070. The letter is notifying AHC that effective on September 14, 1998, the TNRCC officially assumed the NPDES program from the EPA. The TNRCC will be responsible for all compliance and enforcement issues under the Clean Water Act. The letter tells AHC to send all notifications required by the AHC NPDES permit should be submitted to the TNRCC as of September 14, 1998. The letter gives the address at the TNRCC. The letter also request that AHC send to the TNRCC their original Discharge Monitoring Report (DMR) plus one copy in accordance with the federal NPDES permit. The letter was signed by [redacted] EPA Region 6 Water Quality Management Division and by [redacted] Compliance Assurance and Enforcement Division.

- A copy of a letter dated January 30, 1998 from EPA Region 6 in Dallas, Texas to

[redacted] AHC, 1802 Poth Lane, Corpus Christi, TX. The letter was a Notice of Inspection. Notifying AHC that on February 23, 1998 an inspection to determine the facility's compliance with both Clean Water Act and Emergency Planning and Community Right to Know Act programs. The letter was signed by [redacted] On-Scene Coordinator.

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- A letter from the EPA Region VI office, dated July 5, 1989, to "Permittee"(AHC Corpus Christi Storage Terminal) . The letter was for the permittee to note the correct mailing address for submittal of documents related to compliance with AHC's NPDES permit. The EPA address in Dallas, Texas was given on the letter, specifically to the Water Enforcement Branch.

- [redacted] provided by fax that same day what he alleged to be a copy of the sample analysis of samples taken from two roll off boxes of material excavated from on site at the AHC Corpus Christi Storage Terminal. The analysis was done by GEMINI LABORATORIES INC.. The sample identification was RB 5613/26033, Gemini Log# 9020254.

During a the consent search of the files in what formerly was the offices o [redacted] and [redacted] no Federal NPDES permit was found and very few documents of any kind were found pertaining to the AHC federal wastewater permit compliance program. The few documents which were found in regards to the federal permit were located in a file cabinet in a office which used to be occupied by [redacted] at the AHC Terminal.

Also while at the AHC facility [redacted] interviewed a [redacted] bout the burial of waste sludge on the facility grounds. Also a brief follow-up interview was done with [redacted] concerning whether or she ever filled out any federal Discharge Monitoring Reports for the EPA wastewater compliance program. She advised that in fifteen years she has never filled any federal wastewater reporting forms.

[redacted]
Special Investigations Unit

7/24/99
Date:

20

REPORT OF RECEIPT
OF
EVIDENTIARY DOCUMENTS AND REPORTS

On July 28, 1999 [redacted] an Investigator for the Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit (SIU), received two "Report of Interviews" from [redacted] an Investigator with the Texas Park and Wildlife (TP&W) Environmental Crimes Unit. These interviews and the documents received are in relation to The AMERADA HESS CORP.(AHC), Corpus Christi Terminal, criminal investigation. b6 b7C

The two interviews received were as follows:

1) Interview of [redacted] The interview was done on July 9, 1999, by [redacted] of TNRCC SIU. Custody of three sets of files from the TNRCC Central Records were transferred to the care of [redacted]

2) Interview of [redacted] at the AHC Corpus Christi Terminal. [redacted] was interviewed by [redacted] on July 13, 1999.

[redacted]
TNRCC Special Investigations Unit

8/18/99
Date:

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/18/2000

[redacted] Investigator, Special Investigations Division, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), Corpus Christi, Texas, telephone numbe[redacted] made available the following:

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1. Original one page Report of Interview (ROI) reflecting results of an interview with [redacted] on July 13, 1999.

2. Original one page ROI reflecting results of a telephonic contact with [redacted] on July 12, 1999.

3. Original one page Report reflecting receipt of evidence from JORDON LABORATORIES, INC on April 14, 1999 (JLI). The documents provided by JLI will be maintained in the care and custody of the FEDERAL BUREAU OF INVESTIGATION (FBI).

The original reports described above are attached hereto.

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Investigation on 01/14/2000 at Corpus Christi, Texas

File # 249A-HO-53027 - 19 Date dictated 01/18/2000

by / SA [redacted]

/ 018mlb 01

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REPORT OF INTERVIEW
WITH
[redacted]
ON
JULY 13, 1999

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On [redacted] a subsequent interview was conducted wit[redacted] was conducted by investigato[redacted] of the Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit during a facility visit to the AMERADA HESS CORPORATION (AHC) STORAGE TERMINAL located on Poth lane in Corpus Christi, Texas. [redacted] and investigator [redacted] of the Texas Parks and Wildlife Environmental Crimes Unit were conducting a visit to the AHC facility to review files for evidence and to conduct interviews with terminal personnel.

[redacted] had been previously interview at length by [redacted] (See investigative evidence files for the report of interview.).

[redacted] was asked about environmental compliance wastewater reporting forms she has filled out during her employment with AHC.

[redacted] advised that for the last 15 years while working at the AHC Corpus Christi terminal she has only typed out the blue State of Texas wastewater reporting forms to be submitted to Austin.

[redacted] went on to say that she has never filled out a Federal EPA wastewater reporting form. She said she was very sure of this.

This was the only topic which was discussed during this interview. The interview was concluded at this time.

[redacted]
TNRCC Special Investigations Unit

7/15/99
Date:

REPORT OF TELEPHONIC CONTACT
WITH
[redacted]
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ON
JULY 12, 1999

On Monday, July 12, 1999, [redacted] Corporate Environmental Affairs with AMERADA HESS CORPORATION (AHC), called [redacted] an Investigator with the Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit. This was a return call to [redacted] by [redacted]

During the phone conversation the topic of tank bottom sludge waste from Tank 144 at the AHC Corpus Christi Storage Terminal was discussed. The main issue about the waste was the sample analysis which took place on waste which had been buried by AHC personnel on the facility grounds and analysis which had taken place on the same waste material but had not been buried and had remained in a roll off box located at the facility.

[redacted] advised that in his opinion regardless of the fact that the excavated waste showed up non hazardous according to the sample analysis, he believed based on his experience and logic that the waste should be considered a hazardous waste. The reason for this was that the buried waste came from the same source (Tank 144) as the waste sludge which was not buried and which met the criteria as hazardous waste for benzene according to the waste analysis. [redacted] advised that AHC did treat the excavated waste as hazardous waste and the material was manifested and disposed of as hazardous waste.

[redacted] also discussed the apparent failure of AHC Corpus Christi Storage Terminal to submit monthly wastewater Discharge Monitoring Reports (DMRs) to the EPA Region 6 office in Dallas and then to the TNRCC in compliance with their federal NPDES (National Pollution Discharge Elimination System) permi[redacted] advised he had spoken with [redacted] the former [redacted] AHC Terminal facility. [redacted] told [redacted] that as far as he knew that the AHC facility never had turned in DMRs to the EPA or anyone. [redacted] and [redacted] thought the Monthly Effluent Reports (MERs) which were turned in to the State of Texas namely the TNRCC and it's predecessor agency the Texas Water Commission would take care of the federal and state reporting requirements. It was pointed out to [redacted] that in the federal permit there is a section which says the facility is required to submit a monthly DMR for compliance reporting to the EPA [redacted] acknowledged this and advised that it looks like AHC had in oversight failed to submit the reports all these years.

[redacted]
TNRCC Special Investigations Unit

7/14/99
Date:

REPORT OF RECEIPT OF EVIDENCE
FROM
JORDON LABORATORIES, INC.

On April 14, 1999, [redacted] handed over copies of documents involving analysis done by JORDON LABORATORIES INC. (JLI) for AMERADA HESS CORPORATION (AHC), and were requested a week earlier by investigators. The documents were received by Investigator [redacted] of the Texas Parks and Wildlife Environmental Crimes Unit and Special Agent [redacted] of the Environmental Protection Agency (EPA) Criminal Investigations Division.

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Custody of the documents were then transferred to [redacted] an investigator with the Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit. [redacted] then placed the documents into a secure investigative file until the documents could be transferred to a central investigative evidence file securely maintained by Special Agent [redacted] of the Federal Bureau of Investigations (FBI).

The documents provided to investigators and agents by [redacted] were from the time period starting on November 1, 1998 to January 29, 1999. The documents consisted of:

- Copies of reports of analysis for all samples done for AHC by JLI. during the designated time period.
- Copies of chain of custody forms for the samples.
- Copies of the JLI run logs.
- Copies of the quality control data for the samples run for AHC during the designated time period.
- A log of all samples submitted from AHC during the time frame in question.

The originals of these documents are being maintained in the JLI files.

[redacted]

TNRCC Special Investigations Unit

1-13-00
Date:

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/21/2000

[redacted] Investigator, Special Investigations Division, TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC), made available the original of a two page report (attached hereto) reflecting receipt of documents from Assistant U.S. Attorney [redacted] Southern District of Texas on September 23, 1999. [redacted] further made available the documents received from [redacted] These documents which were previously provided to [redacted] by AMERADA HESS CORPORATION will be maintained in the care and custody of the FEDERAL BUREAU OF INVESTIGATION (FBI).

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Investigation on 1/19/2000 at Corpus Christi, Texas

File # 249A-HO-53027 -20 Date dictated 1/21/2000

by SA [redacted]

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REPORT OF RECEIPT OF DOCUMENTS FROM ASSISTANT U.S. ATTORNEY

[redacted]

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On September 23, 1999, Texas Natural Resource Conservation Commission (TNRCC) Special Investigations Unit. Investigator [redacted] received a pack of documents from Assistant U.S [redacted] Custody of the documents were transferred t[redacted] at the U.S.Attorney's office for the Southern District of Texas, office.

[redacted] had received these documents from representatives of AMERADA HESS CORPORATION (AHC) during a meeting betwee[redacted] and AHC. The documents contain information related to a Federal criminal investigation of the AHC Corpus Christi storage terminal and former employees which worked at the terminal.

The documents transferred t[redacted] onsisted of:

- Copies of Monthly Effluent Reports which AHC turned into the TNRCC for their wastewater self monitoring compliance program. The reports started with January, 1996 through April, 1999.

- A draft copy of a wastewater reporting chronology for the Corpus Christi Terminal and the Galena Park Storage Terminal, which is located in the Houston area.

- Single page document which illustrates a comparison between the TNRCC and the Federal NPDES wastewater permit limits.

- Copy of a letter from the EPA to the AHC as the permittee for NPDES wastewater permit TX0072737 and TNRCC permit WQ0002070. This letter informs AHC that the EPA has delegated the NPDES program over to the TNRCC as of September 14, 1998.

- Copy of a letter from TNRCC to the AHC terminal in Corpus Christi. The letter advises that they have been issued a new TPDES permit, No. 02070, which is a permit to dispose of waste in accordance with the Federal Clean Water Act and the Texas Water Code. Effective date for the new permit is June 18, 1999.

- Copy of letter dated March 11, 1996 from the TNRCC to AHC manager of the Gulf Coast Terminals [redacted] in reference to a TNRCC inspection done on the Galena Park Terminal. The letter and attachments point out violations and deficiencies noted during the inspection and request that AHC respond to the letter to describe what will be

done to correct the problems noted during the inspection.

- Copy of a letter dated March 25, 1996, from AHC to TNRCC, attention [redacted] The letter is in response to the letter dated March 11, 1996 from TNRCC to AHC noting deficiencies and violations. The AHC response goes over the steps the Galena facility will take to rectify the problems. b6 b7C

- Copy of a letter dated May 21, 1997, from the US EPA, Region 6 office in Dallas, to [redacted] AHC Gulf Coast Terminals. The letter was specifically addressing a inspection done at the Galena Park Terminal on January 11, 1996 by the TNRCC. The letter was requesting a copy of AHC's response to a deficiency and violation letter sent to AHC by the TNRCC , dated March 11, 1996. The EPA advises that AHC was directed in the TNRCC letter to send a copy of their response to EPA Region 6 and that the EPA never received their copy.

- Copy of a letter dated May 30, 1997, from AHC to the EPA with an attached copy of the response letter dated March 25, 1996, which AHC sent to TNRCC in response to the TNRCC deficiency and violation letter dated March11, 1996.

All documents which [redacted] passed on to [redacted] will be transferred over to FBI Special Agen[redacted] and custody will be maintained in a master case file at the FBI office in Corpus Christi, Texas. Till that time the documents will be kept on file in a secure area by [redacted]

[redacted]
TNRCC Special Investigations Unit

1-18-00
Date:

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 249A-HO-53027

2500 East T.C. Jester Blvd.
Houston, TX 77008

February 28, 2000

Honorable Mervyn M. Mosbacker
U.S. Attorney's Office
910 Travis, Suite 1500
Houston, Texas 77208

Attention: AUSA [redacted]

Re: [redacted]

b6
b7C

Dear Mr. Mosbacker:

This letter will serve as confirmation of a conversation on February 25, 2000 between AUSA [redacted] and Special Agent [redacted] of our Office. During this conversation, AUSA [redacted] advised that the U.S. Attorney's Office expects to file an Information during the next few weeks, charging [redacted] with one count each in violation of the Clean Water Act, Title 33, United States Code, Section 1319 (c) (4).

AUSA [redacted] explained that delay in filing the Information has been the result of other more pressing matters, which they hope to resolve soon.

Sincerely,

[redacted]

Acting Special Agent In Charge

By: [redacted]

Supervisory Senior Resident Agent

1 - Addressee
(1) - Houston (249A-HO-53027)
MPA:mpa
(2)

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249A-HO-53027-21

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 249A-HO-53027

2500 East T.C. Jester Blvd.
Houston, TX 77008

April 13, 2000

Honorable Mervyn M. Mosbacker
U.S. Attorney's Office
910 Travis, Suite 1500
Houston, Texas 77208

Attention: Mr. [redacted]
Assistant U.S. Attorney

b6
b7C

Re [redacted]

Dear Mr. Mosbacker:

This letter will serve as confirmation of a conversation on April 13, 2000 between AUSA [redacted] and Special Agent [redacted] of our Office. During this conversation, AUSA [redacted] advised that inasmuch as other pressing matters had been dealt with, he contemplates the U.S. Attorney's Office will file an Information within the next two weeks, charging [redacted] with one count each in violation of the Clean Water Act, Title 33, United States Code, Section 1319 (c) (4).

Your cooperation in this matter is appreciated. If you have any questions, please do not hesitate to contact SA [redacted] at (361) 883-8671.

Sincerely yours,

[redacted]
Acting Special Agent In Charge

By: [redacted]
Supervisory Senior Resident Agent

1 - Addressee
1 - Houston
MPA:mpa
(2)

104 MPA02

5/31/00
Response to [redacted]
S
D
5/31/00

249A-HO-53027-22

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(01/26/1998)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 09/14/2000

To: Houston

From: Houston
CCRA
Contact: SA [redacted], (361)885-6704 b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 249A-HO-53027 (Pending)

Title: AMERADA HESS CORPORATION;
[redacted]
CORPUS CHRISTI STORAGE TANK TERMINAL;
[redacted]
CORPUS CHRISTI STORAGE TANK TERMINAL;
ENVIRONMENTAL CRIMES - CLEAN WATER ACT (CWA),
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA);

Synopsis: Document contact with AUSA [redacted]

Details: On 08/31/2000, [redacted] AUSA, Houston office, visited the Corpus Christi office of the FBI. AUSA [redacted] met with writer and [redacted] Special Investigator, TNRCC, to discuss the draft indictment which he had prepared against subjects, [redacted]

♦♦

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258 CTS7

249A-HO 53021 - 23

FD-515 (Rev. 8-4-99)

☐ Squad supervisor approval (please initial)

Accomplishment Report

(Accomplishment must be reported and loaded into ISRAA within 30 days from date of accomplishment)

Date Prepared 03/13/01
Date Loaded 3/29/01
Data Loader's Initials [illegible]

File #?

Accomplishment involves: (check all that apply)

- ☐ Drugs
- ☐ A Fugitive
- ☐ Bankruptcy Fraud
- ☐ Computer Fraud/Abuse
- ☐ Corruption of Public Officials
- ☐ Money Laundering
- ☐ Sub Invest Asst by FO (s)

Asst. FO(s) ___ ___ ___ ___ (A, B, C, D)

Task Force

File Number: 249A-HO-53027

Stat Agent Soc. Sec. No.

Stat Agent Name

RA	Squad
CCRA	

Assisting Agents Soc. Sec. No. X

1. Name:

2. Name:

Investigative Assistance or Technique Used

1-Used, but did not help
2-Helped, minimally
3-Helped, substantially
4-Absolutely essential

For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO

Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT
		h. Analyst			b. Div. Exam			CO - Group I			Ft. Mon.- NRCSC
		rcraft Asst.			b. Field Sup			CO - Group II			For. Lang Asst.
		mputer			n Registers			CO - Nat. Back			Non FBI Lab Ex
		nsen Mon.			hoto Cover.			CAVC / VI - CAP			Vict-Witn Coor
		sur / FISC			lygraph			rim/NS Intel Asst			
		sur / T. III			arch Warrant			risis Neg. - Fed.			
		g. Field Spt.			how Money			risis Neg. - Local			
		g. Tape Ex			OG Asst.			RT Asst.			
		gats Asst.			wat Team			utte - ITC			
		id Purchase			ch. Ag/Equip.			av - ITC			
		/CW Info			hone Toll Rec			oc - WRCSC			

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A. Complaint / Information / Indictment
☐ Federal ☐ Local ☐ International
Complaint Date: ___
Check if Civil Rico Complaint ☐
Information Date: 03/09/01
Indictment Date: ___

B. Locate/ Arrest
☐ Federal ☐ Local ☐ International
Subject Priority: ☐ A ☐ B ☐ C
Locate Date: ___
Arrest Date: ___
☐ Subject Resisted Arrest
☐ Subject Arrested was Armed

C. Summons Date: ___
☐ Federal ☐ Local

D. Recovery/Restitution/PELP X
☐ Federal ☐ Local ☐ International
Recovery Date: ___
Code• ___ ✓ Amount $ ___
Code• ___ ✓ Amount $ ___
Restitution Date: ___
☐ Court Ordered
☐ Pretrial Diversion
Code • ___ Amount $ ___
PELP Date: ___
Code• ___ ✓ Amount $ ___

E. Hostage(s) Released Date: ___
Released by: ☐ Terrorist ☐ Other
Number of Hostages: ___
Child Located Date: ___

F. Conviction
☐ Federal ☐ Local ☐ International
Conviction Date: ___
Subject Description Code: ___ • (___)•
For 6F, G, H--Include Agency Code
☐ Felony or ☐ Misdemeanor
☐ Plea or ☐ Trial
State: ___ Judicial District: ___

G. U.S. Code Violation
Required for Sections A, B, F, and J
(Federal only)

Title	Section	# Counts
33	1319(c)(1)(A)	1

H. Sentence Date: ___
Sentence Type: ___ ___ ___
In Jail: Years ___ Months ___
Suspended: Years ___ Months ___
Probation: Years ___ Months ___
Fines: $ ___

SEARCHED: ___
FORMS ___
MANUAL ___
SERIALIZED ___
FILED ___

I. Disruption/Dismantlement:
Disruption Date: ___
Dismantlement Date: ___
Completion of FD-515a Side 2 Mandatory

J. Civil Rico Matters Date: ___
Also Complete "Section G"
Other Civil Matters Date: ___
Judgment ___ ___ ___ ___ •
Judicial Outcome ___ ___ ___ ___ • X
Amount $ ___
Suspension: Years ___ Months ___

K. Administrative Sanction Date: ___
Subject Description Code ___•
Type: ☐ Suspension ☐ Debarment ☐ Injunction
Length: ☐ Permanent or Years ___ Months ___

L. Asset Seizure Date: ___
Asset Forfeiture Date: ___
CATEGORY: ☐ Mandatory ☐ ___
Check one of the three:
☐ Asset Forfeiture - Administrative
☐ Asset Forfeiture - Civil Judicial
☐ Asset Forfeiture - Criminal
Do not indicate $ value in Section D

MAR 29 2001
FBI - HOUSTON

M. Acquittal / Dismissal / Pretrial Diversion
Acquittal Date: ___
Dismissal Date: ___
Pretrial Diversion Date: ___

N. Subject Information (Required for all Sections excluding Section D (Recovery/PELP), Section E (Hostage), Section I, and Section L.)

For Indictments/Convictions only:
☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European, Caribbean, or Nigerian Organized Crime Group - Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.
☐ Subject related to an OC/Drug Organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group - Complete FD-515a, Side 1 Blocks A-C only.

X Additional information may be added by attaching another form or a plain sheet of paper for additional entries.
• See codes on reverse side.
✓ Requires that an explanation be attached and loaded into ISRAA for recovery over $1m and PELP over $5m.

Serial No. of FD-515: 24

249A-HO-53027

For Further Instructions See: MAOP, [redacted] I, Sections 3-5 thru 3-5.3.

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negot. Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

PELP CODES

22 Counterfeit Stocks/Bonds/Currency/ Negotiable Instruments
23 Counterfeit/Pirated Sound Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe Demand Aborted
26 Theft From or Fraud Against Government Scheme Aborted
27 Commercial or Industrial Theft Scheme Aborted
30 All Other

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

AGENCY CODES

ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
BIA Bureau of Indian Affairs
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOC Department of Corrections
DOI Dept. of Interior
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Admin
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCG U.S. Coast Guard
USCS U.S. Customs Service
USDS U.S. Department of State
USMS U.S. Marshals Service
USPS U.S. Postal Service
USSS U.S. Secret Service
USTR U.S. Treasury
LOC Local
CITY City
COUN County
ST State
OTHR Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

SUBJECT PRIORITY

A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years

B Subject wanted for crimes involving loss or destruction of property valued in excess of $25,000 or convicted of such a crime in the past five years.

C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out Diplomatic Immunity
3D U.N. Employee W/out Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a Terrorist Organization
4B Possible Terrorist Member or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS (6F,6G,6H- Include Agency Code)

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

ACCOMPLISHMENT REPORT ATTACHMENT

On 03/09/2001, AUSA [redacted], Houston Office, caused to be filed in the United States District Court, Southern District of Texas, Corpus Christi Division, an Information against [redacted] for negligently aiding, abetting, counseling, commanding, inducing and procuring another person to violate a condition of a permit issued under the National Pollutant Discharge Elimination System.

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03/19/2001

********** INFORMATION **********

SENSITIVE / UNCLASSIFIED

Case Number: 249A-HO-53027
Serial No.: 24

Stat Agent Name
Stat Agent SOC.

Report Date: 03/19/2001
Accom Date.: 03/09/2001

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Does Accomplishment Involve		Assisting Agents SOC	Subject Name
Drugs	N		
A Fugitive	N		
Bankruptcy Fraud	N		
Computer Fraud/Abuse	N		
Corruption of Public Officials	N		
Money Laundering	N		

RA	Squad	Task Force
CCRA	CCRA	

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	FT. MON-NRCSC
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	FOR LANG ASST
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	NON FBI LAB EX
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	VICT-WITN COOR
ELSUR/FISC	POLYGRAPH	CRIM/NS INTEL	IO WANTED FLYR
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	SARS
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	CART
ENG TAPE EXAM	SOG ASST	ERT ASST	
LEGATS ASST.	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS	POC-WRCSC	

Information is for Federal, Local, or International (F/L/I).....: F
Serial Number of Information.....:

United States Code Violation

Title	Section	Counts
33	1319C	1

Accomplishment Narrative

ON 03/09/2001, AUSA [redacted] HOUSTON OFFICE, CAUSED TO BE FILED IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS, CORPUS CHRISTI DIVISION, AN INFORMATION AGAINST [redacted] FOR NEGLIGENTLY AIDING, ABETTING, COUNSELING, COMMANDING, INDUCING AND PROCURING ANOTHER PERSON TO VIOLATE A CONDITION OF A PERMIT ISSUED UNDER THE NATIONAL POLLUTANT DIS-CHARGE ELIMINATION SYSTEM

SENSITIVE / UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/22/2001

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[redacted] date of birth [redacted] social security account number [redacted] telephone [redacted] was interviewed at the Corpus Christi, Texas office of the Federal Bureau of Investigation (FBI). Special Investigator (SI) [redacted], Texas Natural Resource Conservation Commission (TNRCC), Corpus Christi, Texas, and Assistant United States Attorney (AUSA) [redacted] United States Attorney's Office, Houston, Texas, were also present. [redacted] is represented by Attorney [redacted] who was in attendance along with [redacted] After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

[redacted] agreed through his attorney to a plea agreement, in which [redacted] is to plead guilty to a lesser charge of 1 misdemeanor count of aiding and abetting another person to violate a permit issued under the National Pollutant Discharge Elimination System. [redacted] also agreed to fully cooperate with the investigation, to include testifying against [redacted] In exchange for his plea of guilty and cooperation, the Government agreed not to charge [redacted] with the more serious, felony charges which the Government would be able to prove he committed.

[redacted] was provided with a copy of the proposed plea agreement. He reviewed the section of the agreement entitled "Stipulated Factual Basis" by reading aloud from it and making corrections and additions as he deemed appropriate:

On December 31, 1998, JORDAN LABORATORIES (JORDAN) notified [redacted] that preliminary results for a number of samples were yielding abnormally high values for Total Organic Carbons (TOC) [redacted] at AMERADA HESS' Corpus Christi terminal, subsequently instructed [redacted] to call JORDAN and explain that the samples were pulled from the wrong location by a new employee. [redacted] further instructed [redacted] to ask JORDAN if they could re-sample and submit the new samples for testing. [redacted] did as [redacted] was instructed, speaking to [redacted] of

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Investigation on 02/15/2001 at Corpus Christi, Texas

File # 249A-HO-53027 - 25 Date dictated 02/22/2001

by SA [redacted]

072CTS1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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[redacted] reported to [redacted] after conferring with her supervisor, that they could submit "resamples" for testing. On or about January 1, 1999, [redacted] under the direction of [redacted] instructed AMERADA HESS employee [redacted] to collect samples for each of the dates which had yielded the high preliminary TOC values. As per [redacted] instructions relayed by [redacted] collected the "resamples" and falsely labeled them with the same dates and samplers' names as was provided with the original samples [redacted] further instructed through [redacted] that the chain of custody forms should not be corrected to reflect the new sample dates and names of individuals collecting the samples. All of the new samples yielded results within the permit limits [redacted] assembled the mandated monthly regulatory report for the month of December which did not reflect any permit exceedences and included only the results of the "resamples", according to [redacted] instructions. [redacted] then signed the report and caused it to be delivered to the TNRCC.

[redacted] then provided information regarding other violations. Tank 144, a floating roof tank, was cleaned in preparation for replacement of its seals. The cleaning yielded 2 roll-off bins of scale and sludge, which [redacted] characterized as hazardous by nature due to the contents of the tank when it was in service [redacted] who had oversight over the Gulf Coast terminals, had visited the plant at that time and had personally seen the 2 roll-off bins full of waste. At some point, [redacted] told [redacted] that, in order "to save money", he was to put one of the bins' contents into a concrete vault [redacted] advised [redacted] that there could be repercussions if it was discovered that the waste had been disposed of in this manner. [redacted] indicated he was aware of that possibility but to go ahead with the plan anyway. [redacted] subsequently instructed a terminal employee to do as [redacted] had instructed. [redacted] was sure [redacted] knew the proper method of disposing of this type of waste. Prior to Tank 144's cleaning, Tank 117 had been cleaned, producing 1 bin of waste. The Tank 117 waste had been analyzed, tested, and disposed of in a manner which [redacted] considered appropriate [redacted] recalled that the cost to dispose of the 1 bin was approximately $10,000 and that company officials had been upset about the overall cost of the tank cleaning.

In 1998, [redacted] ordered a pump-house pit, containing sludge, oil and other debris, be cleaned out and the waste placed in drums. [redacted] later instructed terminal employees to mix the

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waste into roadbase material and be used to build up firewalls within the terminals tank farm.

[redacted] knew of no motivation on the part of [redacted] commit these violations, other than to reduce costs for the terminal [redacted] added that, for his own part, he went along with [redacted] instructions, even though he thought they were wrong, because he did not want to jeopardize his job. According to [redacted] however, [redacted] had never threatened [redacted] job for having questioned any of [redacted] orders.

AMERADA HESS staffed out of their Houston office an environmental coordinator, [redacted] whose duties included providing employees with training on environmental issues. The only such formal training which [redacted] received, however, was a 3-day Hazardous Materials training workshop. For all other environmental issues, [redacted] felt he relied on [redacted] training and experience to determine what was required.

Following an internal investigation conducted by [redacted] who replaced [redacted] of the Gulf Coast terminals, and other AMERADA HESS employees, [redacted] was placed on immediate leave and later allowed to resign from the company.

The draft plea agreement mentioned above is being maintained in the care and custody of the FBI.

DPM/BC

249A-HO-53027-24

DMM/BC

249A-HO-53027-27